

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25650 of 2020**

Arising Out of PS. Case No.-89 Year-2019 Thana- PARIHAR District- Sitamarhi

SAJJAD ANSARI @ MD. SAJJAD HUSAIN Son of Md. Sabir Ansari,
Resident of Barahi, P.S.- Parihar, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Falakyar Askari, Adv.
For the State	:	Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 08-12-2020 Heard Mr. Falakyar Askari, learned counsel for the petitioner, Mr. Birendra Kumar, learned counsel for the informant and Mrs. Asha Devi, learned APP through Video Conferencing.

The petitioner apprehends his arrest in Parihar P.S. Case No.89 of 2019 registered under Sections 323, 341, 504, 506, 498A, 376 and 511 of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner is the husband of the informant. The informant made allegation of demand of dowry against the mother and father of the petitioner. The informant also made allegation against the father of the petitioner that he made an attempt to commit rape



with her but the petitioner is ready to keep his wife with all honour and dignity in a separate house.

Learned counsel for the informant submits that the informant is also willing to live with her husband, if her husband keeps her with all honour and dignity. Learned counsel for the informant informed that the petitioner has already filed a divorce case after institution of the present F.I.R.

Considering the willingness of the petitioner to keep his wife with all honour and dignity, the above named petitioner is directed to surrender in the court below within six weeks from the date of receipt/production of a copy of this order and the court below shall enlarge the petitioner on provisional bail for six months on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Sitamarhi in connection with Parihar P.S. Case No.89 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. Thereafter the court below shall make efforts for resolution of the dispute between the husband and the wife. If the dispute is resolved and the petitioner keeps his wife properly, the provisional bail granted to the petitioner shall be confirmed and if the dispute is not resolved between the husband and the wife, the court below shall pass order in



accordance with law on the provisional bail of the petitioner
immediately after lapse of six months.

(Prabhat Kumar Jha, J)

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