

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41075 of 2019

Arising Out of PS. Case No.-387 Year-2017 Thana- COMPLAINT CASE District- Banka

MD. ASLAM MANSURI, Son of Islam Mansuri Resident of Village -
Nayatola, Navtoliya, P.O.- Chiraiya, P.S.- Amarpur, District- Banka

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bibi Marjina Wife of Md. Aslam Mansuri, D/O- Late Md. Aahat Mansuri
Resident of Village and P.O.- Chiraiya, P.S.- Amarpur, District- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

5 31-01-2020 Heard leaned counsel for the petitioner, learned
counsel appearing on behalf of complainant/O.P. No.2 and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 387 of 2017, registered under Section
498(A) of the Indian Penal Code and Section 4 of the D.P. Act,
pending in the court of the learned S.D.J.M. Banka.

The accusation is that the Nikah of the
complainant/O.P. No.2 Bibi Marjina was performed with Md.
Aslam Mansuri before 13 years and due to their wedlock, three
children born in spite of that she was being tortured by her
husband through various modes and she was also neglected not
providing food and other necessary items of life. Later on, she
was removed from her matrimonial house along with her



children. It is alleged that petitioner, husband of complainant/O.P. No.2, developed illicit relation with another lady.

Learned counsel for the petitioner submits that, in fact, two issues born due to wedlock of petitioner and complainant/O.P. No.2 and they are residing with the petitioner. Further submission is that, in fact, complainant/O.P. No.2 does not want to live with the petitioner. Further submission is that on the joint prayer of the parties, the matter was referred to the Mediation Centre, Banka, but the petitioner did not turn up before the Mediation Centre, Banka.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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