

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62880 of 2019

Arising Out of PS. Case No.-24 Year-2018 Thana- MAHILA P.S. District- Vaishali

Md. Mustaque Ansari @ Md. Mustaque, Son of Md. Shaidar, Resident of
Village - Gajipur Chowk, P.S.,- Desari, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-01-2020 This is an application for grant of anticipatory bail in connection with Hajipur Mahila P. S. Case No. 24 of 2018, disclosing offences under Sections 498A, 504, 506/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Petitioner happens to be the husband of the informant. Allegation of demand of a motorcycle and for that, she was subjected to cruelty and she was ousted from the house.

Submission of learned counsel for the petitioner is that the whole allegation is false and concocted and he is still ready to keep her with full dignity and care, that stand has also been taken by him before the learned Additional Sessions Judge while hearing his bail application, but the same has not been considered.

On the other hand, the informant has submitted that she is also ready to reside with the petitioner, if she is allowed to live with full dignity and care.



Having heard both sides, in view of the stand of both the parties, this application is disposed of with a direction to the petitioner to surrender before the learned court below on 24.01.2020 and on that day the opposite party no.2 shall also remain present in the Court. Further on filing of an affidavit by the petitioner that he is ready to keep her with full dignity and care and, the petitioner shall be released on provisional bail for a period of six months to the satisfaction of the learned court below. During that period, both the parties shall appear before the learned court below, so that the court below shall watch the conduct of both the parties. Once being satisfied with the conduct of both the parties, especially, the conduct of the petitioner, the court below shall confirm the bail bonds of the petitioner, otherwise, he is free to pass any other order or orders, which may deem fit and proper, including cancelling the bail bonds of the petitioner.

It is needless to say that if the opposite party no.2 does not appear before the court below or is not ready to reside with the petitioner, in that case also, the learned court below shall release the petitioner on bail on his own satisfaction.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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