

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58263 of 2019

Arising Out of PS. Case No.-1051 Year-2017 Thana- COMPLAINT CASE District- Banka

Shamshad Ansari @ Md. Shamshad Ansari Son of Aftab Ansari Resident of Village-Dhobni, P.S.-Barahat, District-Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bibi Nasrin Khatoon Wife of Shamshad Ansari @ Md. Shamshad Ansari and Daughter of Najir Ansari At Present Resident of Village-Begpur, P.S.-Panjwara, District-Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Veer, Advocate
For the Opposite Party/s : Mr.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 26-02-20 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner who is the husband of the opposite party no. 2 has filed the instant application for anticipatory bail apprehending his arrest in connection with Complaint Case no. 1051 of 2017 wherein cognizance has been taken under section 498A of the Indian Penal Code and sections 3 and 4 of the D.P. Act.

As per the allegation in the complaint, the marriage between the petitioner and the opposite party no. 2 took place on 23.3.2014 and at time of marriage several gifts were given. It is stated that after marriage, the husband of the opposite party no.



2 proceeded to Chhatisgarh and soon after his leaving the other accused persons started to torture the opposite party no. 2. They started making demand of a motorcycle by way of dowry and took all her jeweleries and clothes. It is further stated that she was abused and ousted from her 'Sasural'.

It is submitted by learned counsel for the petitioner that he is husband of the complainant -opposite party no. 2. The allegations levelled in the complaint are false and even from reading of the complaint, the main allegation of torture is against other accused persons and not this petitioner. It is further submitted that the petitioner is still ready to live with the complainant.

No one appears for the opposite party no. 2.

The application for bail has been opposed by learned APP for the State submitting that the petitioner is husband of the opposite party no. 2.

Having heard learned counsel for the parties and taking into consideration the above stated facts and circumstances, the Court is inclined to enlarge the petitioner on bail. The petitioner, above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Complaint Case no. 1051 of 2017 is directed



to be enlarged on bail on furnishing bail bond of Rs. 10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Sub-Divisional Judicial
Magistrate, Banka subject to the conditions as laid down in
section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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