

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14912 of 2020

Arising Out of PS. Case No.-45 Year-2019 Thana- MAHILA P.S. District- Nawada

MD. SHAMSHAD ANSARI @ MD. SHAMSAD ANSARI Son of Md. Usman Ansari Resident of Mohalla - Guljar Nagar Bhadauni, P.S.- Nawada, District- Nawada

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Husna Bano D/O- Firoz Anwar, Wife of Md. Shamshad Ansari Resident of Mohalla - Suleman Nagar, Bhadauni, P.S.- Nawada, District- Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Ataul Haque, Adv
For the State	:	Mr. Zainul Abedin, APP
For OP No.2	:	Mr. Rajesh Ranjan Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 16-03-2021 Heard Mr. Md. Ataul Haque, learned counsel for the petitioner, Mr. Rajesh Ranjan Kumar, learned counsel appearing for OP No.2 and Mr. Zainul Abedin, Additional Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with Nawada Mahila PS Case No. 45/2019 registered for the offence punishable under Sections 341, 323, 379, 498(A)/34 of the IPC and Section 3/4 of the Dowry Prohibition Act.

3. The allegation, as per First Information Report, is that marriage of petitioner with OP No.2 was solemnized on 15.10.2014 and after some time, the accused persons including petitioner started torturing OP No. 2 physically as well as



mentally for not fulfilling the demand of Rs. One Lac Fifty Thousand and a motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is ready and willing to keep OP No.2 as his wife with all care, honour and dignity.

5. Both the parties i.e., petitioner and OP No.2 have agreed to live together as husband and wife but the wife has an apprehension that she may be ill-treated again by her husband. However, the husband, i.e., petitioner undertakes that he would not at all ill-treat his wife in future.

6. Having regard to the agreement between the husband and wife who are present in Court and in order to maintain harmony in the family, I am inclined to grant anticipatory bail to the petitioner provisionally.

7. Accordingly, petitioner, MD. SHAMSHAD ANSARI @ MD. SHAMSAD ANSARI shall be released on anticipatory bail provisionally for the period of six months, in the event of arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Nawada in connection with Nawada Mahila PS Case No. 45/2019, subject to the conditions as laid down under Section



438(2) CrPC.

8. Accordingly, the instant application for anticipatory bail stands disposed of.

9. Needless to say that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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