

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6576 of 2020

Arising Out of PS. Case No.-83 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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SAHIM AKHTAR ANSARI Son of Satar Ansari Resident of Village-
Bhawanipur Balua Tola, P.S.-Kundwachainpur, District-East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shama Pravin Daughter of Sahabuddin Ansari Resident of Village-
Bhawanipur Balua Tola, P.S.-Kundwachainpur, District-East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Umesh Chandra Verma, Adv.
For the Opposite Party/s :	Mr.Kalyan Shankar, APP
	Mr.Sangeet Deokuliar, Adv.
	Mr.Akhilesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

9 17-01-2022 Heard the parties through virtual court proceedings.

The petitioner apprehends his arrest in connection with
Complaint Case No.C-83/2019 (Trial No.3435/2019), registered
under section 498(A) of the IPC and ³/₄ of the D.P. Act.

Allegation against the petitioner, being the husband of the
complainant, is that he used to torture and assault the
complainant due to non fulfillment of dowry demand and of
ousting her out of her matrimonial house.

It is submitted by learned counsel for the petitioner that
petitioner is an innocent person and has committed no offence.
Petitioner has never made any dowry demand and has been



falsely implicated in the present case due to grudge. There is general and omnibus allegation against the petitioner. He has neither made any dowry demand nor has subjected her to cruelty in any manner. The petitioner has relied upon the judgment of this Court in the case of ***Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006 (3) PLJR 182.*** It is submitted that the petitioner is still ready and willing to keep his wife with full honour and dignity. Petitioner has no criminal antecedent, as also mentioned in para-3 of the application.

Learned APP for the State as well as learned counsel for the complainant opposed the prayer for bail and submit that in the Mediation Center, the petitioner denied to live with the O.P. No.2, as such, mediation has failed.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Complaint Case No.C-83/2019 (Trial



No.3435/2019), subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

However, petitioner is ready to pay Rs.3000/- (Rupees Three Thousand) per month to the opposite Party No.2 for a period of one year, within which period, it is expected that the O.P. No.2 shall file a maintenance case before the learned Family Court for grant of maintenance and petitioner shall also abide by that order, either interim or final, passed by learned Family Court.

It is also made clear that, in case of failure to pay Rs.3000/- for continuous three months, the O.P. No.2 is at liberty to move for cancellation of the bail bond of the petitioner before the learned court below itself.

Accordingly, this application is disposed of.

(Anjani Kumar Sharan, J)

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