

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57170 of 2022

Arising Out of PS. Case No.-66 Year-2022 Thana- DUMARIAGHAT District- East
Champaran

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Sohrab Ansari S/o Rustam Ansari R/V- Shankar Saraiya Sheikh Saran Tola,
P.S.- Turkauliya, Distt- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shakila Khatoon D/o Hafidin Ansari R/V- Dhangarha Ward no. 2, P.S.-
Dumariyaghat, Distt- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 08-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Dumariyaghat P.S. Case No. 66 of 2022 lodged under Sections
341, 323, 494, 498A, 34 of the I.P.C.

As per the prosecution case, the marriage of informant
has solemnized with the accused according to Muslim rites and
rituals in the year 2012. After marriage, the informant has 2
daughters from the said wedlock. The allegation is that food was
not provided to the informant due to which her 2 daughter died.

Subsequent allegation was there that the accused and others used to put pressure to develop illicit relation for which informant was not ready and it is due to this reason, torture started. The demand of Rs. 3 lakh is also there and subsequently, the informant has alleged to marry with another women. Thereafter, the present case has been filed.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Counsel submits that marriage was solemnized 12 years back. Counsel submits that with ulterior motive, entire family members of the petitioner were made accused. Counsel submits that second marriage has been done as per the prevailing law in the Muslim religion and there is no illegality in the same. Counsel submits that the antecedent of the petitioner is clean and he is in custody since 30.05.2022 with false allegation made by the wife in jealous.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that the accused is not taking care of the informant. She is the first wife and simultaneously admits that for maintenance, she has already

filed another case.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Dumariyaghat P.S. Case No. 66 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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