

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83750 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- PIRO District- Bhojpur

MD. INDU MANSURI @ MD. INDU ANSARI @ INDU MANSURI Son of
Md. Kallamuddin Resident of Village- Jaishidih New Tola, P.S.- Piro,
District- Bhojpur (Ara)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shakina Khatoon @ Shash Kina Khatoon @ Ashmina Khatoon W/o Md.
Indu Mansuri Resident of Jaishidih, New Tola P.S.- Piro, District- Bhojpur,
Ara present address- D/o Md. Jalil Mansuri, Resident of Village- Budhi
Jethvar, P.S.- Tarari, District- Bhojpur, Ara.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Aditya Nath Pandey, Adv.
For the Opposite Party/s :	Mr.Rajendra Prasad Nat, APP
	Mr.Ranjeet Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

10 08-08-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered
under sections 323, 498A, 504, 506, 379 of the IPC and sections
¾ of Dowry Prohibition Act.

Petitioner, who is husband of the informant, is said to
have committed torture upon the informant in association of his
family members on account of non-fulfillment of demand of
dowry and ousted her out of the matrimonial home.

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 and he is ready and willing to keep his wife with full honour and dignity. 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.***

In that view of the matter, 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 Piro P.S. Case No.74 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Petitioner is ready to pay Rs.5000/- (Rupees Five Thousand) per month to opposite party no.2 in the first week of every month, for her maintenance, as per the bank account details furnished by her in the learned Court below.

It is made clear that if the petitioner fails to pay the aforesaid amount on two consecutive months, opposite party no.2 shall be at liberty to move before the learned Court below



for cancellation of the bail bond of the petitioner.

It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceedings.

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.

Petitioner is also directed to appear before the learned court below in Cr. Misc. No.16 of 2019.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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