

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4865 of 2023**

Arising Out of PS. Case No.-106 Year-2021 Thana- DHURAIYA District- Banka

MD. HARUN ANSARI @ MD. HARUN @ HARUN ANSARI Son of Md. Rajjak Ansari Resident of Village- Lauabandh, P.S.- Dhoraiya, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Najnin Khatoon D/O Kyuam Ansari Resident of Village- Singarpur, P.S.- Dhoraiya, District- Banka

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Aditya Nath Pandey, Adv.  
For the Opposite Party/s : Mr. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      29-04-2023                      Heard learned counsel for the petitioner and learned counsel for the informant as well as learned A.P.P. for the State.

Learned counsel for the petitioner is permitted to make necessary correction in the paragraph-3 and 6 of the bail application during course of the day.

The petitioner seeks bail in connection with Dhoraiya P.S. Case No. 106 of 2021 dated 08.05.2021 registered for the offence under Sections 498A, 494, 323, 504, 506/34 of the Indian Penal Code.

According to the prosecution, earlier the informant lodged a case bearing Dhoraiya P.S. Case No. 48 of 2015 against the husband of the petitioner and others and in the meantime, the husband of the petitioner performed second marriage with



another lady who also filed a case bearing Dhoraiya P.S. Case No. 151 of 2020 against the petitioner. It is alleged that husband of the informant brutally assaulted the children of the informant and also tried to set fire upon them.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the allegation, as alleged in the F.I.R, is false and fabricated as no such occurrence has taken place. He further submits that the petitioner has not committed any offense as alleged in the F.I.R. He further submits that the date of occurrence is shown in the complaint as 27.02.2021 whereas the complaint was filed on 18.03.2021 after delay of nineteen days without explaining the delay. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 25.05.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Banka in connection with Dhoraiya P.S. Case No. 106 of 2021 with the



following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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