

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.33347 of 2023

Arising Out of PS. Case No.-1545 Year-2021 Thana- COMPLAINT CASE District- Banka

SADDAM ANSARI @ MD. SADDAM Son of Jenul Ansari Resident of village - Lalmatia, P.S. and District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Zahida Khatoon Daughter of Md. Sharif @ Panchu W/o Saddam Ansari @ Md. Saddam, Resident of village - Suiya (Her Mayka), P.O. and P.S.- Suiya, Distt. - Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Malendu
For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 13-12-2023
1. Heard learned Counsel for the petitioner, learned counsel appearing on behalf of the opposite party no. 2 and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 1545 of 2021, disclosing offences under Sections 498A of the Indian Penal Code.
 3. Learned counsel for the petitioner submits that the petitioner is ready to keep his wife in matrimonial home with all honour, care and dignity.
 4. Learned counsel for the opposite party no. 2 submits that



the opposite party no. 2 is also ready and willing to stay with her husband.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both husband and wife are willing to reside together, I am inclined to grant the petitioner privilege of anticipatory bail, subject to the condition that the petitioner will visit the paternal home of the opposite party no. 2 on 23.12.2023 and shall take his wife back with him to her matrimonial home. At the time of furnishing bail bond, the petitioner shall be present, along with his wife, and shall also file a joint-affidavit declaring, therein, that both the petitioner and opposite party no. 2 are living together peacefully at the matrimonial home of the opposite party no. 2.
6. With the aforesaid condition, this anticipatory bail application is allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 Additional Judicial



Magistrate 1st Class, Banka, in connection with Complaint
Case No. 1545 of 2021, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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