

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35262 of 2022

Arising Out of PS. Case No.-816 Year-2017 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. MD. ASLAM @ MOHD. ASLAM ANSARI SON OF MD. ANUL ANSARI @ MD. ENINUL ANSARI R/O VILLAGE- HUSAINPUR, P.O.- SARFUDDINPUR, P.S.- BOCHAHAN, DISTRICT- MUZAFFARPUR
 2. MD. ANUL ANSARI @ MD. ENINUL ANSARI SON OF FAKRUDDIN ANSARI R/O VILLAGE- HUSAINPUR, P.O.- SARFUDDINPUR, P.S.- BOCHAHAN, DISTRICT- MUZAFFARPUR
 3. ZAINAB KHATOON WIFE OF MD. ANUL ANSARI @ MD. ENINUL ANSARI R/O VILLAGE- HUSAINPUR, P.O.- SARFUDDINPUR, P.S.- BOCHAHAN, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. FATMA KHATOON WIFE OF MD. ASLAM R/O VILLAGE- MAIDAPUR TOLE SARFUDDINPUR, P.S.- BOCHAHAN, DISTRICT- MUZAFFARPUR , D/O- MD. ALAUDDIN, R/O VILLAGE- BHATAUNA TOLE RAMNAGARA, P.S.- KARJA, DISTRICT- MUZAFFARPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh, Adv.
For the Opposite Party/s : Mr.Damodar Prasad Tiwary,APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 03-05-2023 Heard learned counsel for the for the petitioners and
learned APP for the State.

The petitioners apprehends their arrest in a case registered for the offences punishable under Section 498 A of the Indian Penal Code.

Allegedly, petitioners are said to have tortured upon the complainant physically and mentally over the dowry demand. They also ousted her from her matrimonial home.



It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. Petitioner no.1 is husband of the complainant whereas petitioner no.2 & 3 are father-in-law and mother-in-law of the complainant, respectively. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. Petitioners have no criminal antecedent, as mentioned in para 3 of the bail application.

In that view of the matter, as there is general and omnibus allegation against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each 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. 816 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

Petitioner no.1 is ready to pay Rs. 3000.00 (Rupees Three Thousand) per month to the complainant in the second week of



every month. If the petitioner no.1 fails to pay the aforesaid amount on two consecutive months, complainant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

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

Learned Court below is directed to issue notice to complainant for furnishing her bank account details. If she fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the complainant after she furnishes her bank account details.

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

With the aforesaid observation and direction, this application stands disposed of.

(Anjani Kumar Sharan, J)

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