

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43183 of 2022

Arising Out of PS. Case No.-1380 Year-2020 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

MD. SAMSAD ANSARI Son of Late Mansoor Ansari Resident of Village -
Satanpur, P.S.- Ujiarpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. SABANA KHATOON Divorce of Md. Samsad Ansari, D/o Md. Akhtar Ansari Resident of Village - Gorgama, P.s.- Sahrpur Patori, Distt.- Samstipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Shanker Pankaj, Advocate
For the State	:	Mr. Nagendra Prasad, A.P.P.
For the O.P. No. 2	:	Mr. Ujjawal Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 06-04-2023 Heard Mr. Ravi Shankar Pankaj, learned Counsel appearing on behalf of the petitioner; Mr. Nagendra Prasad, learned A.P.P. appearing on behalf of the State and Mr. Ujjawal Kumar Singh, learned counsel appearing on behalf of the opposite party no.2.

2. The petitioner seeks pre-arrest bail in connection with Complain Case No. 1380 of 2020 for the offence punishable under Sections 498(A) of the Indian Penal Code.

3. The parties have agreed to live together. Petitioner is ready to take care of two children and Opposite Party No.2. He is also ready to satisfy all physical and financial requirements of the Opposite Party No.2. However, at the same



time, the desire has been made on behalf of the petitioner that the Opposite Party No.2 must also be obliged to take care of the old parents of the petitioner.

4. This Court finds that the parties have strained relationship because the petitioner wants that Opposite Party No.2 must give all due respect to his ailing parents, who are old.

5. Considering the willingness of the parties and in the interest of justice, this Court finds that the petitioner be released provisionally on pre-arrest bail so that he can lead a happy conjugal life subject to the condition that either party should not resort to any illegal act.

6. The petitioner is directed to be released provisionally on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Samastipur in connection with CR No. 1380 of 2020, T.R. No. 2971 of 2021, on any terms and conditions as fixed by the Court below.

7. If no complain is found to be made by either parties for one year, the provisional bail granted to the petitioner shall be made absolute subject to the terms and conditions as laid



down under Section 438(2) of the Cr.P.C. and further any
condition fixed by the Court below.

(Purnendu Singh, J)

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