

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50299 of 2022**

Arising Out of PS. Case No.-339 Year-2022 Thana- MUFFASIL District- West Champaran

=====

MOZAHIR ANSARI @ MOZAHIDDIN ANSARI @ MD. MOJAHIRUL  
ISLAM Son of Samsuddin Ansari Resident of village - Auraiya Tiwari Tola,  
P.S.- Bettiah Muffasil (Banuchhapar O.P.), District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Guriya Khatoon @ Nasima Khatoon Wife of Mozahir Ansari Daughter of Zakir Ansari, Resident of village - Auraiya Tiwari Tola, P.S.- Bettiah Muffasil (Banuchhapar O.P.), District - West Champaran, At present Resident of village - Meghwal Mathiya, P.S.- Ramnagar, District - West Champaran.

... .. Opposite Party/s

=====

**Appearance :**

|                          |   |                       |
|--------------------------|---|-----------------------|
| For the Petitioner/s     | : | Mr.Brij Kishor Mishra |
| For the Opposite Party/s | : | Mr.Rana Randhir Singh |
|                          |   | Mr. A. N. Verma       |

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

6      04-07-2023                      Heard learned counsels for the petitioner and learned  
A.P.P. for the State.

The petitioner is apprehending his arrest in connection with a case registered for the offence punishable under Sections 498(A), 379/ 34 of the I.P.C. and u/s 3/4 of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the



present case due to petty family dispute. The petitioner is the husband of the victim and he is ready to keep his wife with full honour and dignity. It is further submitted that dispute arose with regard to the realization of money given by the petitioner to the parents of O.P. No.2. It is next submitted that petitioner is already paying monetary allowance of Rs. 3000/- per month to O.P. No.2 pursuant to order passed by the court below in Domestic Violence Case No. 29/ 2022. The case is triable by the Magistrate. The petitioner has further 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***. Petitioner has got clean antecedent.

Learned counsel for the State and the O.P. No.2 opposed the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub divisional Judicial Magistrate, West Champaran, Bettiah in connection with Bettiah



Muffasil (Banuchhapar OP) PS case No. 339/ 2022, subject to  
conditions laid down u/s 438(2) of the Cr. P. C.

**(Prabhat Kumar Singh, J)**

BKS/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

