

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72913 of 2022

Arising Out of PS. Case No.-1327 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Aarif Ansari @ Arif Ansari S/o Alamgir R/v- Gajipur, Tola- Jaysinghpur,
P.O.- Dumri Katsari, P.S.- Shyampur Bhataha, District- Sheohar

... .. Petitioner

Versus

1. The State of Bihar
2. Sahina Khatoon D/o Late Md. Azam Anari W/o Arif Ansari R/v- Madhuban,
P.O. and P.S.- Madhuban, District- East Champaran

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Pravin Kumar, Advocate
For the State	:	Ms. Indu Kumari Srivastava, APP
For the Informant	:	Mr. Karandeep Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner in the present case is seeking pre-arrest bail in connection with Complaint Case No. 1327 of 2021 registered for the offences punishable under Sections 498(A), 420, 406, 417, 506 of the Indian Penal Code. The petitioner has got no criminal antecedent.

The allegation against the petitioner is that after his marriage with the complainant on 17.04.2013, he along with other accused persons started demanding five lakhs Rupees as dowry. It is alleged that due to non-fulfillment of dowry, the accused persons tried to kill the informant by administering her poison but they did not succeed. It is alleged that the petitioner has performed



a second marriage and has thrown out complainant, her daughter and son.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the name of demand of dowry. It is his submission that the complainant wants that this petitioner should permanently live in his sasural. Learned counsel submits that the petitioner is ready to keep his wife and both the children with full dignity and care and in order to show his bonafide, learned counsel offered to pay Rs.3,000/- per month for the present to the complainant towards her expenses, subject to result of any other appropriate proceeding in this regard.

Learned counsel for the complainant submits that in view of the submissions on behalf of the petitioner, the complainant would be willing to move for mediation and in course of mediation, she would cooperate with an intention to start her conjugal life together with the petitioner.

In the given facts and circumstances of the case and in the nature of the submissions made on behalf of the parties, this Court directs that the petitioner above-named in case of his arrest or surrender within a period of four weeks from today shall be released on **provisional bail for a period six months** in connection with Complaint Case No. 1327 of 2021 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with



two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sadar at Motihari, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that he will start paying Rs.3,000/- per month within first week of every month to the informant subject to result of any other appropriate proceeding in this regard. During the period of six months, efforts will be taken by the learned court below to get the matter mediated between the petitioner and the informant in order to reach to an amicable settlement and after being satisfied with the conduct of the petitioner as to the bonafides of his submissions as mentioned above, the learned court below shall confirm the bail of the petitioner.

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.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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