

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9030 of 2023

Arising Out of PS. Case No.-189 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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MUSLIM ANSARI @ MUSLIM SON OF MD. AKHTAR ANSARI R/O
VILLAGE- VISHWAMBHARPUR, P.S.- DHAKA, DISTRICT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SABINA KHATOON D/O ABDULLAH ANSARI R/O VILLAGE-
SEMARHIYA, P.S.- CHHOURADANO, DISTRICT- EAST CHAMPARAN

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Though the notice was validly served upon the
opposite party no.2, but nobody has entered appearance on her
behalf.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498(A),
323 of the Indian Penal Code.

4. Petitioner, who is husband of opposite party no2., is
said to have tortured upon her physically and mentally and
ousted her from her matrimonial home in association of his
family members over the dowry demand.



5. It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and has committed no offence. Petitioner has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. Earlier the complainant filed a complaint petition vide Complaint Case No. 345 of 2019, which was dismissed for default on 10.09.2021. Thereafter, the present case has been filed by the complainant. She has also filed Divorce Case No. 312 of 2019, which was also disposed off vide order dated 19.03.2020. Petitioner has one criminal antecedent.

6. Learned APP for the State opposes the prayer for bail.

7. In that view of the matter, let the above named petitioner, be released on bail, in the event of his 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) 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. 189 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

8. If so advised, either of the parties will be at liberty to



make an application before the Court below for referring the
matter to the District Mediation Centre for the purpose of
reconciliation or one time settlement.

(Anjani Kumar Sharan, J)

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