

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20420 of 2024

Arising Out of PS. Case No.-3466 Year-2021 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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SHAHNAWAJ ANSARI S/O- MD. ALAUDDIN ANSARI R/O- VILLAGE-
MINAPUR, HAJIPUR, P.S.- HAJIPUR, DIST.- VAISHALI, PIN CODE-
844101 AT PRESENT RESIDING AT F-96-A, SHAHEEN BAGH, ABUL
FAZAL ENCLAVE PART II, P.S.- SHAHEEN BAGH, OKHALA, DIST.-
SOUTH DELHI, STATE- DELHI, PIN CODE- 110025

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rohit Mishra, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State. Despite valid service of notice, nobody
appears on behalf of opposite party no. 2.

2. The petitioner, husband of the opposite party no. 2,
apprehends his arrest in a complaint case punishable for the
offence under Section 498(A), 406, 34 of the Indian Penal
Code and Section 3/4 of the Dowry Prohibition Act.

3. As per complaint, the complainant was married with
this petitioner in the year 2015 and after the marriage, when
she went to her matrimonial house, she was subjected to torture
and harassment by this petitioner and other in-laws family
members due to non-fulfillment of demand of dowry and lastly,



on 31.03.2021, she was ousted from her matrimonial house.

4. Learned counsel for the petitioner, while denying the allegations made in the complaint petition, submits that petitioner has been falsely implicated in this case merely because he is husband of the opposite party no. 2. However, he is ready to keep the opposite party no. 2 with full honour and dignity. Learned counsel further submits that the complainant was adamant not to come with the petitioner to join her matrimonial home accordingly she applied for divorce. After due process, a certificate of divorce has been issued by the Muslim Marriage Divorce Registrar and Kazi on 12.10.2023. Allegation is general and omnibus. 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.

5. Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of six weeks from today, let this petitioner, as named above, 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 the learned A.C.J.M. Ist (E), Muzaffarpur, in connection with



Complaint Case No. 3466 of 2021, subject to the conditions, as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Prabhat Kumar Singh, J)

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