

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32015 of 2024

Arising Out of PS. Case No.-44 Year-2021 Thana- MAHILA P.S. District- Saran

Nasruddin Ansari Son Of Late Badruddin Ansari Resident Of Mohalla -
Katahari Tola (CHHOTKA Telpa), Police Station - Chapra Town, District -
Saran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sabeya Khatoon Wife Of Nasruddin Ansari, Daughter Of Abdul Rahim
Ansari Resident Of Village - Hariharpur Khard, P.S. - Jamo, District - Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Anis Akhtar, Advocate Mr. Rananjay Kumar, Advocate
For the State	:	Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 22-05-2024 Heard Ld. counsel for the petitioner and
Ld. APP for the State.

2. The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 44 of 2021 dated 11.06.2021,
registered for the offences punishable under Section 498A of the
Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

3. As per the prosecution case, there is allegation of
demand of dowry of Rs.2,00,000/- and one Alto car against the
accused persons and on account of non-fulfillment of the said
demand, the petitioner along with other co-accused persons
started assaulting and torturing her.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. He further submits that on account of matrimonial discord, this false case has been filed by the informant-wife. Type written report also suggests that the written report has been filed by the informant-wife on legal advice without any truth in the allegation. He further submits that petitioner is willing to keep his wife-informant in his matrimonial home. He further submits that the maximum punishment for the alleged offence is three years.

5. It has also been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

6. It is also stated in paragraph no. 2 of the petition that petitioner has never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for anticipatory bail.

8. Considering the aforesaid facts and circumstances of the case, this application is allowed, directing the petitioner above named, to be enlarged on bail in the event of his arrest or surrender before Ld. trial court within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of Ld. S.D.J.M., Saran at Chapra, in connection with Mahila P.S. Case No. 44 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of Ld. trial court that the petitioner has any criminal antecedent, Ld. trial court shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of Ld. trial court that statement regarding previous bail petition is wrong, Ld. trial court shall cancel the bail bond of the petitioner.

(Jitendra Kumar, J.)

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