

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32606 of 2024

Arising Out of PS. Case No.-509 Year-2023 Thana- SIWAN CITY District- Siwan

Amir Ansari @ Amir son of Mumtaz Ansari Resident of at- Makhdoom Sarai,
Dakhin Tola, P.S.- Siwan Town (Sarai O.P.), Dist.- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Aasu Kumari Wife of Amir Ansari Resident of At- Makhdoom Sarai, Dakhin Tola, P.S.- Siwan Town (Sarai O.P.), Dist.- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate
For the State : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 22-05-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks anticipatory bail, apprehending his arrest, in connection with Siwan Town (Sarai O.P.) P.S. Case No. 509 of 2023, dated 01.10.2023 registered for the offences punishable under Sections 341, 323, 498(A), 504 and 506/34 of the Indian Penal Code and ¾ of the Dowry Prohibition Act.

3. The prosecution case as emerges from the FIR is that the Petitioner along with his family members demanded dowry and tortured the Informant. On non-fulfillment of the demand, she was assaulted and sometimes her meal was also stopped. She was ultimately ousted from the matrimonial house



after snatching all her belongings.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that there is no marriage between the Petitioner and the Informant at all. In fact, it is a false claim on behalf of the Informant that the Petitioner is legally wedded husband. He further submits that there is no allegation of any physical violence to the informant and the whole case is false and filed with intent to pressurize the Petitioner to accept her as wife and keep her in his house.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

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

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below 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., Siwan, in connection with Siwan Town (Sarai O.P.) P.S. Case No. 509 of 2023, 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 the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds 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 the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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