

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52578 of 2023

Arising Out of PS. Case No.-882 Year-2022 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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HADISH ANSARI @ HADIS ANSARI Son of Taslim Ansari Resident of
Village - Hakam, P.S. - Mohammadpur, Distt. - Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabnam Khatoon Wife of Hadish Ansari @ Hadis Ansari Resident of
Village - Hakam, P.S. - Mohammadpur, Distt. - Gopalganj. At present D/o
Tajuddin Ansari, resident of Bhawaniganj, P.s. - Manjhagarh, Distt. -
Gopalganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Lokesh Kumar Singh, Adv.
For the Opposite Party/s :	Mr.Ajay Kumar No. 2, APP
	Mr.Sumit Shekhar Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 30-01-2024 Heard learned counsel for the petitioner, learned counsel
for the O.P. No.2 and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable u/s 498A, 406 of the IPC and
sections 3/4 of the Dowry Prohibition Act.

3. Earlier, vide order dated 19.08.2023, petitioner was
granted provisional bail in this case.

4. Petitioner, who is husband of the complainant, is said to
have tortured the complainant over dowry demand and ousted
her from the matrimonial house.

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. The petitioner has 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*. The petitioner is still ready to keep his wife with full honour and dignity.

6. In that view of the matter, the provisional bail granted to the petitioner vide order dated 19.08.2023, in connection with C. Case No.882 of 2022, Trial No.2103 of 2023, is hereby confirmed, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. Petitioner is ready to pay Rs.3000.00 (Rupees Three Thousand) per month to the complainant in the second week of every month. If the petitioner fails to pay the aforesaid amount on two consecutive months, complainant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

8. It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.



9. Learned counsel for the O.P. No.2 is directed to furnish the bank account details of the complainant before the learned Court below. If she fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the complainant after she furnishes her bank account details.

10. If so advised, either of the parties will be at liberty to make an application before the learned Court below for referring the matter to the District Mediation Center for the purpose of reconciliation or one time settlement.

11. With the aforesaid observation and direction, this application stands disposed of.

(Anjani Kumar Sharan, J)

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