

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57741 of 2023**

Arising Out of PS. Case No.-1246 Year-2019 Thana- COMPLAINT CASE District- Banka

Mainul Ansari S/O Late Amir Ansari R/O Village- Bhelwa, P.S- Katoriya,
Distt.- Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sabrun Khatun W/O Mainul Ansari, D/O Md. Israil R/O Village- Ghumni,
P.S- Katoriya, Distt.- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-02-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The learned counsel for the petitioner submits that
from the office report dated 17.02.2024, it would manifest that
the O.P. No.2 refused to take the notice.

3. In view of the office report dated 17.02.2024 the
notice is deemed to have been validly served.

4. The learned counsel next submits that petitioner
being husband has been falsely implicated in the instant
complaint case by the O.P. No.2. It is next submitted that



petitioner is willing to keep the O.P. No.2 with honour and dignity, but for reason best known the O.P. No.2 does not intend to stay with the petitioner and that perhaps explains while she refused to accept the notice. It is further submitted that the petitioner in order establishes bonafide would pay an amount of Rs.3000/- per month by way of maintenance to the O.P. No.2, which shall commence from 01.03.2024.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Complaint Case No.1246 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. However, it is made clear that the O.P. No.2 shall be at liberty to file an application before this Court seeking cancellation of the anticipatory bail of the petitioner in the event



if the petitioner does not pay the monthly maintenance as agreed
for two consecutive months.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

