

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66736 of 2023**

Arising Out of PS. Case No.-618 Year-2022 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

Abdul Satar Ansari @ Abdul Sattar @ Abdul Sattar Ansari son of Asha
Mohammad Ansari @ Ash Mohammad Ansari Village- Ramayana Ps- Tareya
Sujan Dist- Kushinagar U.P

... .. Petitioner/s

Versus

1. The State of Bihar
2. Wahida Tabassum @ Bahida Tabassum wife of Abdul Satar Ansari @ Abdul
Sattar @ Abdul Sattar Ansari, D/o- Ainuddin Village- Mir Alipur Ps- Thawe
Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Lokesh Kumar Singh, Advocate
For the State	:	Mr. Rabindra Kumar, APP
For the O.P.No.2	:	None

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 02-07-2024 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 323, 498(A) of the Indian Penal Code.

3. As per complaint case, the complainant was married
with this petitioner in the year 2010 and after four years of
marriage, when she went to her matrimonial house, she was
subjected to torture and cruelty by this petitioner and other in-
laws family members for dowry and lastly, on 10.01.2017, she
was ousted from her matrimonial house.



4. Learned counsel for the petitioner, while denying the allegations made in the F.I.R., 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. Moreover, the case is triable by the learned Magistrate. 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 J.M. 1st Class, Gopalganj in connection with Complaint Case No. 1188 of 2022 (C.I.S. No. 618/2022), 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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