

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80773 of 2023

Arising Out of PS. Case No.-107 Year-2022 Thana- RAJPUR District- Rohtas

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Noorbas Ansari Son Of Late Jamaluddin Ansari R/O Village- Mangrawaliya,
P.S.- Rajpur, Dist.- Rohtas At Sasaram

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sabnam Khatoon D/O Jainual Haque Anshari R/O Village- Turkwaliya, P.S.-
Rajpur, Dist.- Rohtas At Sasaram

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Chhote Lal Mishra, Advocate
For the State	:	Mr.Rajesh Kumar, APP
For O.P. No.2	:	Mr. Deovind Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 17-12-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party
no. 2/informant.

02. In the present case, the petitioner is apprehending
his arrest in connection with Rajpur P.S. Case No. 107 of 2022
registered for the alleged offences under Sections 498A, 341,
323, 504, 506, 379/34 of the Indian Penal Code and Sections
3/4 of the Dowry Prohibition Act.

03. As per prosecution case, the petitioner is the
husband of the informant and the allegation against the
petitioner and other co-accused persons is that they have been
demanding a motorcycle and cash of rupees two laks as dowry.



When this demand was not fulfilled, they tried to set the informant on fire.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner never demanded any dowry and never tortured the informant and is always ready to keep the informant with honour and dignity. The petitioner is an orphan and was brought up by his uncle and aunt. The informant has been pressurizing the petitioner to get separated from the uncle and aunt and for this reason, this false case has been lodged. Learned counsel further submits that, however, in order to save the informant from destitution and vagrancy with a lurking hope that the issue may be reconciled in future, the petitioner is willing to make payment of Rs. 4,500/- per month to the informant towards her maintenance till disposal of the case before the learned trial court.

05. Learned A.P.P. for the State as well as learned counsel appearing for the opposite party no. 2/informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel appearing for the opposite party no. 2/informant submits that the petitioner and other co-accused persons have been made attempt on the life of the informant.



06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the dispute between the parties, nature of allegation and the issues involved and also considering the undertaking of the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned S.D.J.M., Bikramganj, Rohtas in connection with Rajpur P.S. Case No. 107 of 2022, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) The petitioner would make payment of Rs.4,500/- per month on or before 10th day of each month till disposal of Rajpur P.S. Case No. 107 of 2022.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the



court below, if so required by the learned trial court.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

07. However, it is made clear that this amount will be subject to adjustment pursuant to further orders made by any competent court with regard to maintenance to the opposite party no. 2.

(Arun Kumar Jha, J)

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