

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70818 of 2024**

Arising Out of PS. Case No.-123 Year-2023 Thana- ISHUPUR BARAHAT District-
Bhagalpur

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Ajajul Ansari @ Ejajul Ansari Son of Ahmad Ansari R/O Village- Barmasiya,
P.S.- Ishipur(Barahat), Dist.- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Hasina Khatoon Daughter of Md. Kalim Ansari, Wife of Ajajul Ansari @
Ejajul Ansari R/O Village- Sampur, P.S.- Ishipur(Barahat), Dist.- Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar
For the Opposite Party/s : Mr.Asha Kumari

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 08-05-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 494, 498A
of the Indian Penal Code.

3. By earlier order, the matter had been sent to the
Patna High Court Mediation and Conciliation Centre for
resolution of disputes between the parties but the same has
failed.

4. Petitioner is the husband of opposite party no.2. The
First Information Report discloses that while the informant was
kept properly for 4-5 years after marriage, for the last one and



half years, the behaviour of the petitioner was not good towards the wife and her children. Petitioner is the husband of opposite party no.2.

5. Learned counsel for the petitioner submits that perusal of the allegations in the FIR itself would show that the same are not serious in nature and it has been merely stated that his behaviour was not proper. There is no allegation of any demand of dowry or torture. However, it has been stated in the FIR that the petitioner has married somebody else which is strongly denied on behalf of the learned counsel for the petitioner. As a matter of fact, it is stated that the petitioner had always been ready to keep the opposite party no. 2 with due dignity and honour and he was even ready to take her along with him from the mediation centre but she refused. It has also been submitted that the petitioner, by way of supplementary affidavit, has brought on record that he has one criminal antecedent in which he is on bail.

6. The application has been opposed by the learned APP for the State and learned counsel for the opposite party no. 2.

7. At this stage, the petitioner offers to give Rs.3500/- (rupees three thousand five hundred) per month to opposite party no.2 in the first week of every month. It goes without



saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

8. In such view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ishipur (Barahat) P.S. Case No. 123 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

9. Learned counsel for the opposite party no.2, under instruction, submits that the opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks from today. If the opposite party no.2 furnishes the bank account in which the amount can be transferred, and yet the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, the opposite party no.2 would be at liberty to file cancellation of



bail.

10. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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