

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82519 of 2024

Arising Out of PS. Case No.-2219 Year-2023 Thana- SIWAN COMPLAINT CASE District-
Siwan

=====

Ali Akbar Ansari @ Akbar Ali Ansari Son of Late Lal Mohammad Ansari
Resident of Village - Hussainganj Bazar, P.S. - Hussainganj, District - Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. July Khatoon Wife of Ali Akbar Ansari @ Akbar Ali Ansari, Daughter of Ali Hussain Resident of Village - Kurmi Tola, P.O. - Balhu, P.S. - Darauli, District - Siwan, Mob. No. 8809575299

... .. Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Irshad Ahmad Khan, Advocate
For the State	:	Mr. Umanath Mishra, APP
For Opposite Party No.2	:	N o n e

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Despite valid service of notice, nobody appears on
behalf of the complainant/Opposite Party No. 2.

3. The petitioner, husband of the complainant
/Opposite Party No. 2, apprehends his arrest in a case registered
for the offence punishable under Sections 147, 323, 341, 342,
498A and 406 of the Indian Penal Code.

4. The prosecution case, in brief, is that marriage of
the complainant/Opposite Party No. 2 was solemnized with this
petitioner on 09.03.2019 and after marriage the complainant was



also blessed with a son and thereafter this petitioner, along with other accused person, started committing torture and harassment upon the complainant/Opposite Party No. 2 due to non-fulfillment of demand of dowry.

5. Learned counsel appearing on behalf of the petitioner, while denying the allegations made in the complaint petition, submits that the petitioner has been falsely implicated in this case merely because he is husband of the complainant/Opposite Party No. 2. At no point of time, petitioner committed any torture or demanded dowry from the complainant/Opposite Party No. 2. It is further submitted that the petitioner is ready to keep the complainant/Opposite Party No. 2 at her matrimonial house with honour and dignity. It is further submitted that the case is triable by the Magistrate. In this connection, learned counsel for the petitioner has relied upon the judgment of this Hon'ble 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 claims clean antecedents.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.



7. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned Chief Judicial Magistrate, Siwan in connection with Complaint Case No. 2219 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

shashank/-

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

