

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42126 of 2016

Arising Out of PS.Case No. -1232 Year- 2015 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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Afroz Ansari

.... Petitioner/s

Versus

1. State of Bihar,
2. Sahina Khatoon

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-09-2016

Heard learned counsels for the petitioner and the State.

The petitioner being husband of the complainant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and is ready to keep her with full dignity and honour. Statement to that effect has been made in paragraph 7 of the petition which reads as follows:

“That the petitioner is husband of the complainant/Opposite party no. 2 and is ready to keep the complainant/Opposite party no.2 with full respect and dignity.”

It appears that the learned Sessions Judge has disposed of the anticipatory bail application of the petitioners in view of the ratio laid down in the case of Salim Ansare alias Md. Salim Ansare and Others Vs. The State of Bihar & Another reported in PLJR 2015(3) 806 (Cr. Misc. No. 51075 of 2014 since only the summons were issued. Learned counsel for the petitioners has not controverted this fact that only summons have been issued till date.

Let the learned court below consider the prayer for regular bail of the petitioners in view of the ratio laid down in the case of Salim Ansare alias Md. Salim Ansare and Others Vs. The State of Bihar & Another reported in PLJR 2015(3) 806 if the petitioners surrender within six weeks from today in connection with Complaint Case No. 1232 of 2015 pending in the court of learned SDJM, sadar, Motihari, East Champaran. The bail application of the petitioner may be disposed of preferably on the same day.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

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