

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44796 of 2016

Arising Out of PS.Case No. -2366 Year- 2014 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Asfakullah @ Pappu S/o Yasin Khan, Village - Dhamarpa , P.S. - Ram Nagar, District- West Champaran

.... Petitioner/s

Versus

1. State of Bihar
2. Sarwari Begum, D/o Tahir Hussain , Village- Jogiya, P.S.- Ramnagar, District - West Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha

For the Opposite Party/s : Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-10-2016 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 section 4 of Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant but much after the Talaq being given, the present complaint has been lodged.

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. 2366C of 2014 pending in the court of learned SDJM, Bettiah, West Champaran.

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

(Dinesh Kumar Singh, J)

Anil/-

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