

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23272 of 2016

Arising Out of PS.Case No. -403 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Md. Shane Ali @ Shane Ali Son of Akhtar Ali
2. Akhtar Ali Son of Late Bakridan Rangraj
3. Hasina Khatoon wife of Akhtar Ali All residents of village - Deokuli,
P.S. Brahampur, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nasrin Nisha wife of Md. Shane Ali @ Shane Ali, D/o Late Sattar Warasi
Rangraj Resident of Mohalla - Mawati Tola, P.S. Sasaram (Town), District
- Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Adv.
For the Opposite Party/s : Mr. Anil Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-05-2016 Heard learned counsels for the petitioner and the State.

The petitioner no.1 being the husband of the complainant and petitioner nos. 2 and 3 being the parents of petitioner no.1 are apprehending arrest in a complaint case wherein 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 the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry demand.

It is submitted by learned counsel for the petitioners that petitioner no.1 admits his marriage with the complainant and is

ready to keep her as wife with full dignity and honour, statement to that effect has been made in para 13 of the petition which reads as follows:-

“That petitioner no.1 is ready to keep his wife with full dignity.”

It appears that the learned Sessions Judge disposed of the anticipatory bail application of the petitioner in view of the ratio laid down in the case of **Salim Ansare @ Md. Salim Ansare and Others Vs. The State of Bihar & Another** reported in **2015 (3) PLJR, 806 (Cr. Misc. No. 51075 of 2014)** since only the summons were issued.

In the circumstances, let the learned court below consider the prayer for regular bail of the petitioners if they surrender within a period of six weeks keeping in view the aforesaid ratio in connection with Complaint Case No. 403 of 2014 pending in the court of learned SDJM, Rohtas at Sasaram.

(Dinesh Kumar Singh, J)

Amrendra/-

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