

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28212 of 2017

Arising Out of PS.Case No. -101 Year- 2016 Thana -INARWA District-
WESTCHAMPARAN(BETTIAH)

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1. Abdullah Ansari @ Mitha Ansari Son of Aashim Miyan, Resident of
Village- Bazartola Inarwa, P.S.- Inarwa, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Madhuranand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 03-07-2017 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

Petitioner is languishing in custody for the
offences punishable under Sections 304B/201/34 of the Indian
Penal Code.

Allegation against the petitioner is that he
committed dowry death of his wife Jebun Nesha.

Submission of the learned counsel for the
petitioner is that there is no eyewitness of the occurrence and
presumption of dowry death is not attracted in the facts and
circumstances of this case as, admittedly, death occurred after
seven years of marriage. His next contention is that in fact the
wife of the petitioner is still alive and is residing along with her



brother-in-law in Nepal. The petitioner had lodged a case with gram kutchery to bring his wife prior to the filing of the case. The gram kutchery noticed to the informant as well as the wife and finally ordered to file case in a competent Court of law. Thereafter, complaint Case No.97C of 2017 was filed .

Considering the aforesaid facts, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran/Successor Court, in connection with Inarwa P.S. Case No.101 of 2016, with condition that petitioner shall fully cooperate with the investigation and trial of the case, failing which the Court-below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioner in this case.

(Birendra Kumar, J)

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