

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19563 of 2017

Arising Out of PS.Case No. -43 Year- 2016 Thana -MAHILA P.S. District- BANKA

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1. Majhar Ansari, Son of Jabbar Ansari, Resident of Village- Kakwara,
Police Station- Banka, District- Banka.

.... Petitioner

Versus

1. The State of Bihar.
2. Bibi Shahnaj, Wife of Majhar Ansari, daughter of Md. Nejan, resident of
Village- Kakwara, Police Station- and District- Banka, at present resident of
Village- Singarpur, Police Station- Dhoraiya, District- Banka.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 15-09-2017 Heard learned counsel for the petitioner, learned counsel

for the informant and learned counsel appearing on behalf of the

State.

The petitioner is apprehending his arrest in a case for
the offence instituted under Section 498-A/34 of the Indian Penal
Code.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the demand of
dowry.

The matter was earlier referred to the Mediation Centre,
Patna High Court, Patna vide order dated 30.07.2017. As per the
report of the Mediator, the mediation has failed.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. Due to petty family dispute the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State and the counsel for the informant, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Banka (Mahila) P.S Case No. 43 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned JM 1st Class, Banka, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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