

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56378 of 2017

Arising Out of PS.Case No. -869 Year- 2016 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. KALENDAR ALI, son of Kurban Ansari.
2. Kurban Ansari, son of Late Hamid Ansari. Both residents of Village-
Dara Nagar, P.S.- Nauhatta, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Asma Khatoon, D/o Mohiyuddin Ansari, resident of Village- Kirhindi,
P.S.- Sheosagar, District- Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Complaint Case No. 869
of instituted for the offence under Sections-3 of Dowry Prohibition Act.

As per complaint petition, the marriage of the complainant
was fixed with petitioner no. 1 and engagement ceremony was also held
but finally the petitioner did not perform his marriage with the
complainant due to dowry.

Learned counsel for the petitioner has submitted that
complainant herself refused to perform marriage with the petitioner no.
1 then the entire Barat returned back. There is general and omnibus
allegation levelled against the petitioners.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Complaint Case No. 869 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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