

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29470 of 2016

Arising Out of PS.Case No. -13 Year- 2016 Thana -MAHILA PS District- BUXAR

- =====
1. Imtiyaz Ansari
 2. Md Manjur Alam @ Raju Ansari
Both sons of Nasiruddin Ansari
 3. Quraisa Begum W/o Nasiruddin Ansari
 4. Wahida Khatoon
 5. Sitara Khatoon Both daughters of Nasiruddin Ansari All r/o village-
Dumraon (Tufani Sai Ki Gali), P.S.- Dumraon, District- Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.29482 of 2016

Arising Out of PS.Case No. -13 Year- 2016 Thana -MAHILA PS District- BUXAR

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KAMAL ANSARI @ MD. KAMAL ANSARI, son of Md. Nasiruddin
Ansari, R/o village- Dumraon (Tufani Sai Ki Gali), P.S.- Dumraon, District-
Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.29470 of 2016)

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s :

(In Cr.Misc. No.29482 of 2016)

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

8 19-01-2017 Heard learned counsel for the petitioners, informant
and the State.

In Criminal Miscellaneous No.29470/2016, the
petitioners being brothers, mother and sisters of the husband of



the informant whereas in Criminal Miscellaneous No.29482/2016, the petitioner being husband of the informant, are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 307, 498A, 494, 34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand and performing second marriage. It is specifically alleged that petitioners Sitara Khatoon, Wahida Khatoon, co-accused Sabana Khatoon and husband of the informant namely, Kamal Ansari, caused burn injuries to the informant.

It is submitted by learned counsel for the petitioners that the petitioners admit the marriage of the informant with petitioner Kamal Ansari. The accusation is omnibus and general. The informant received accidental burn injuries and she was provided medical assistance. There is no specific accusation against the petitioners Imtiyaz Ansari and Md. Manjur Alam (in Criminal Miscellaneous No.29470/2016).

Learned counsel for the informant submits that the torture was inflicted by all the accused persons and the informant was caused serious burn injuries, though the counsel for the informant has conceded that there is no specific accusation



against petitioners Imtiyaz Ansari and Manjur Alam. The informant is not ready to resume the conjugal life since her husband has performed second marriage.

The matter was adjourned for last several occasions for getting the issue reconciled, but the issue could not be reconciled.

Considering the fact that there is no specific accusation against the petitioners, Imtiyaz Ansari and Md. Manjur Alam and the petitioners Wahida Khatoon and Sitara Khatoon (in Criminal Miscellaneous No.29470/2016) are unmarried sisters of the husband of the informant, let them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Buxar, in connection with Buxar Mahila P.S. Case No.13/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Considering the specific accusation, against the petitioner, Quraisa Begum (in Criminal Miscellaneous No.29470/2016) and Kamal Ansari being husband of the informant (in Criminal Miscellaneous No.29482/2016), let the learned Court below consider the prayer for regular bail of the petitioners, if they surrender within a period of six weeks in



connection with Buxar Mahila P.S. Case No.13/2016, pending before learned CJM, Buxar.

With the above observation, this application with respect to petitioner Quraisha Begum (in Criminal Miscellaneous No.29470/2016) and Kamal Ansari (in Criminal Miscellaneous No.29482/2016) is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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