

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36151 of 2017

Arising Out of PS.Case No. -351 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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1. Mobarak Ansari @ Mobarak Mansoori, Son of Late Hadish Mian,
Resident of Village- Chuhari, P.S.- Chanpatia, District- West Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Sabrun Khatoon, Wife of Mobarak Mansoori, and daughter of Sabir
Mian, resident of Village- Inarwa, P.S.- Ramgarhwa, District- East
Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

02 10-08-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in
connection with S.C. No. 1163 of 2016, arising out of Complaint
Case No. 351-C of 2016 for the offence instituted under Section
498-A, 323 of the Indian Penal Code and 4 of D.P. Act.

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

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, it has been submitted that the petitioner is named in the Complaint Case.

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 S.C. No. 1163 of 2016, arising out of Complaint Case No. 351-C 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 S.D.J.M., Bettiah, West Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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