

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15843 of 2017

Arising Out of PS.Case No. -185 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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Mohamad Shah Alam Ansari Son of Mohamad Yusuf Ansari, Resident of
Village- Kothi Jagirhan @ Jagirahan Kothi, P.S.-Ghorasahan, Dist.- East-
Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Tamanna Khatoon, W/o Mohamad Shah Alam Ansari, D/o Mohamad Samsuddin Ansari, Resident of Village- Laxmipur, P.S.- Chiraiya, Dist- East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Advocate.
For the State : Mr. Umanath Mishra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 14-12-2017 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the opposite party no.

2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 323, 498(A), 406 of the IPC
and ¾ of the D.P. Act in which cognizance has been taken under
Sections 323, 498(A)/34 and 504 of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfillment of demand of dowry.

Vide order dated 24.08.2017, the matter was referred



to the Patna High Court Mediation Centre, Patna. As per the report of the Mediator, mediation has failed.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioner has further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Sikarhna at Dhaka, East Champaran, in connection with Tr. No. 1796 of 2016, arising out of Complaint Case No. C-185 of 2016, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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