

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14307 of 2018

Arising Out of PS.Case No. -230 Year- 2017 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Ashard Ali @ Arshad Ali S/o Md. Idrish, R/o Village- Madhu Chhapra,
P.S.- Pipra Kothi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rani Khatoon D/o Md. Sanaullah, R/o Village- Bakarpur, P.S.-
Kalyanpur, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bal Govind Sharma

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending her arrest in a case instituted
for the offence under Sections-341, 242, 323 & 498A/34 of the IPC and
4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfillment of 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 is
husband of the victim. 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 relied upon the judgment of this Court in



the case of **Md. Naimul Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.**

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned C.J.M. Motihari, East Champaran in connection with Piprakothi P.S. Case No. 230 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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