

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21977 of 2018

Arising Out of PS. Case No.-1008 Year-2014 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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1. Md. Afroz Ansari @ Afroj Ansari,
2. Md. Guddu Ansari @ Guddu Ansari Both Sons of Ali Shar Ansari, R/o Mohalla- Momin Tola, Laxmi Narayan Lane, Nath Nagar, P.S.- Nath Nagar, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Khatiza, W/o Md. Firdos Ansari D/o Late Md. Kayum Ansari Ahmand, R/o Mohalla- Momin Tola, Laxmi Narayan Lane, Nath Nagar, P.S.- Nath Nagar, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar
For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-04-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 379, 323, 307, 504, 506, 498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act and 27 of the Arms Act, but cognizance has been taken under Sections 341, 323, 498A of the I.P.C. and 4 of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture and assault upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the



petitioners. The petitioners have falsely been implicated in the present case. The victim is in habit of instituting cases for a similar offence. Cognizance has ben taken under Sections 341, 323, 498A of the I.P.C. and 4 of Dowry Prohibition Act. Same is triable by the Magistrate. The petitioners have 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 State, it is submitted that the petitioners are named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, 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) each ith two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhagalpur in connection with Complaint case No.1008 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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