

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4403 of 2018

Arising Out of PS. Case No.-120 Year-2017 Thana- JALE District- Darbhanga

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1. Alam Ansari, S/o Late Saimul Haque,
 2. Atique Ansari S/o Late Saimul Haque,
 3. Bachchu Ansari S/o Late Ainul Haque, R/o Village- Piprahi,
P.S.- Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma
For the Opposite Party/s : Mr. NAGENDRA PRASAD

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 448, 341, 323, 498A, 313/34 of the Indian Penal Code and $\frac{3}{4}$ 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 the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioners are in-laws of the victim. They are



separate in mess and property from the husband of the victim. There is no medical examination report to support the allegations made for an offence under Section 313 of the I.P.C. 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 F.I.R.

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 with two sureties of the like amount each to the satisfaction of learned C.J.M., Darbhanga in connection with Jale (Darbhanga) P.S. case No.120 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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