

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24331 of 2017

Arising Out of PS. Case No.-31 Year-2016 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Md. Javed Ansari Son of Ibrahim Ansari, R/o Village- Chandwa, P.S.-
Ramgarhwa, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rukshar Khatoon, W/o Md. Javed Ansari, R/o Village- Chandwa, P.S.-
Ramgarhwa, District- East Champaran. At Present D/o Ushman Ansari, R/o
Village- Ratanpur, P.S.- Parwanipur, District- Parsha (Nepal).

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar Singh, Adv.
For the State	:	Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 10-04-2018 None appears on behalf of the opposite party No.2.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 498A, 323, 406, 307 of the Indian
Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act, but cognizance has
been taken under Sections 323, 504, 498A of the I.P.C.

Allegation against the petitioner 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 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 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 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 petitioner is named in the complaint case.

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 Sub Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Tr. No.2930 of 2017 arising out of Complaint case No. C-31 of 2016, 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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