

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48080 of 2018

Arising Out of PS. Case No.-365 Year-2017 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Md. Kalimuddin Ansari @ Kalamuddin Ansari @ Mithu Ansari @ Md. Kalamuddin Ansari son of Md. Israil Ansari @ Israil Ansari, resident of Village- Narha, P.S. Majorganj and District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Roksana Khatoon wife of Md. Kalimuddin Ansari @ Md. Kalamuddin Ansari @ Mithu Ansari @ Md. Kalamuddin Ansari D/o. Jakir Hussain Ansari at present resident of Village- Bhairo Kothi, P.S. & District- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Shankar Kumar, Adv.
For the State	:	Mr. Chandrasen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-08-2018 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code.

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

It has been submitted on behalf of the petitioner that 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. On the earlier occasion also, the victim had instituted a case for similar offence against the petitioner and his family members. 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 and learned counsel for the opposite party No.2, 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 Additional Chief Judicial Magistrate, Sitamarhi in connection with Complaint case No. C-1/365 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Sudhir Singh, J)

Narendra/-

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