

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45548 of 2018

Arising Out of PS.Case No. -638 Year- 2014 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN (MOTIHARI)

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1. Md. Neyaz Ansari @ Md. Neyaz Mansuri Son of Bachu Ansari @ Bachu Mansuri Resident of Village - Nandwara Dhuniya Tola, P.S. - Bairganiya, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Khushbu Nesha W/o Md. Neyaz Mansuri, D/o Sobrati Mian R/o Village Nandwara (Dhunia Tola), P.S. Bairgania, District - Sitamarhi, At present resident of Village - Daudnagar Sapahi, P.S. - Dhaka, District - East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-07-2018 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, 379, 406/34 of the Indian Penal Code and 3/4 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 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/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 Sub Divisional Judicial Magistrate, Sikrahna at Dhaka, East Champaran in connection with Complaint Case No. 638 of 2014 (Trial No. 1925 of 2018), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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