

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39943 of 2018

Arising Out of PS.Case No. -251 Year- 2013 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Md. Ashad Ansari @ Md. Ashad, Son of Md. Ishaque Ansari, Resident of
Khawaja Nagar, Puraini, Police Station- Jagdishpur, District- Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Bibi Noorjahan, Wife of Md. Ashad Ansari @ Md. Ashad, Daughter of
Md. Rajjak, Resident of Village- Radhanagar, Police Station- Sajour,
District- Bhagalpur.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Praveen Kumar, Advocate.

For the State : Mr. S.M.Rahman, APP.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2018 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned A.P.P. for the State.

The petitioner is languishing in custody since
03.02.2018 in a case for the offence registered under Section
498(A) of the IPC and Sections 3 and 4 of the D. P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. It is a case of misuse of bail for a period of 25 days. The petitioner has already remained in custody for more than five months. The case is triable by the Magistrate. The petitioner has further 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 learned counsels for the State and the complainant, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Bhagalpur in connection with Complaint Case No. 251 of 2013.

(Sudhir Singh, J)

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