

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.58111 of 2018**

Arising Out of PS.Case No. -778 Year- 2017 Thana -WEST CHAMPARAN COMPLAINT District-  
WESTCHAMPARAN(BETTIAH)

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Ashraf Ali Son of Ahmad Miyan, resident of Village- Lakhaura Tola-  
Dubauliya, P.S. Chanpatia, District- West Champaran.

.... .... Petitioner

Versus

1. The State of Bihar.
2. Shabana Khatoon wife of Ashraf Ali, and daughter of Md. Yusuf,  
resident of Village- Bankatwa, Ward No. 19, P.S.- Bagaha, District- West  
Champaran.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma  
For the Opposite Party/s : Mr. Aditya Narayan Singh 1

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      26-09-2018      Heard learned counsel for the petitioner and learned APP for  
the State.

The petitioner is apprehending his arrest in a case registered  
under Section 498A of the Indian Penal Code and ¾ 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, Bagaha, West Champaran in connection with Complaint Case No. 778-C of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V./-

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