

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44251 of 2018

Arising Out of PS.Case No. -2921 Year- 2011 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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Md. Nashim Ansari, Son of Hazarat Ali, resident of Village- Hasanpurwa,
Police Station- Chakia, District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Shawana Khatun, Wife of Md. Nashim Ansari, resident of Village- Hasanpurwa, Police Station- Chakia, District- East Champaran and daughter of Shahnaj Ansari resident of Village- Allola, Police Station- Kalayanpur, District- East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Binoy Kumar, Advocate.
For the State : Mr. Akbar Ali, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 25.04.2018 in a case for the offence registered under Section 498(A) of the IPC.

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 falsely been implicated in the present case. There is no allegation of tampering with the



witnesses alleged against the petitioner. The informant and her family members are in habit of instituting similar cases against the petitioner and his family members. 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 counsel for the State, 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 J. M. Ist Class, Motihari, in connection with Trial No. 263 of 2017, arising out of Complaint Case No. 2921 (C) of 2011.

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(Sudhir Singh, J)

