

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48095 of 2018

Arising Out of PS. Case No.-1322 Year-2014 Thana- COMPLAINT CASE District- Banka

1. Hazarat Ansari, Son of Sarif Ansari
2. Sarif Ansari @ Sharif Miyan, Son of Late Hatim Ansari.
3. Samiran Bibi, Wife of Sarif Ansari. All are resident of Village- Pindra, P.S. Saraiyahat, District- Dumka (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Hasina Bibi, D/o Chiro Miya, resident of Village- Bhodisimar, P.S. Katoria (Jaipur O.P.), District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Veer
For the Opposite Party/s : Mr. Mustaque Alam

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-08-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 323, 504, 342, 307, 498A, 379 of the Indian Penal Code and 3/4 of Dowry Prohibition Act, but cognizance has been taken under Section 498A of the I.P.C. and 4 of Dowry Prohibition Act.

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

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the



petitioners. The petitioners have 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 petitioners and his family members. The case is triable by the Magistrate. The petitioners have 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 petitioners are named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, 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 S.D.J.M., Banka in connection with Complaint case No.1322 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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