

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10450 of 2019

Arising Out of PS. Case No.-51 Year-2017 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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MOHAMMAD MOJIB AKBAR ANSARI @ MOJEEB AKBAR ANSARI @
MD. MOJIB AKBAR ANSARI, aged about 24 years, Male, S/o Md. Sadique
Ansari, Resident of Village - Muslimabad, P.S.- Haspura, Distt.- Aurangabad
... Petitioner

Versus

1. The State of Bihar
2. Tammanna Khatoon, aged about 22 years, Female, D/o Qyamuddin Ansari,
Resident of Village - Pipra Mangla, P.S.- Arwal, Distt.- Arwal
... Opposite Parties

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Appearance :

For the Petitioner : Mr. Md. Ataul Haque, Adv.
For the Opposite Parties : Mr. Ajay Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

6 05-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Complaint Case No. 51 of 2017 (Trial No. 1425 of 2018)
pending in the Court of the Subdivisional Judicial Magistrate,
Arwal, Jehanabad, for the offences alleged under Sections 341,
323, 325, 379, and 498A of the Indian Penal Code and 3 and 4
of the Dowry Prohibition Act.

The accusation is of torturing of the
complainant/opposite party no. 2 at the hands of husband and
in-laws due to non-fulfillment of demand of dowry and
removing her from matrimonial house snatching the personal



belongings giving threatening of performing re-marriage by her husband.

Learned counsel appearing for the petitioner submits while the matter was referred before the Patna High Court Mediation Center, but, in spite of best efforts mediation could not succeeded. Report of the Mediator says that mediation could not be succeeded due to absence of the petitioner.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of pre-arrest bail to the petitioner. The prayer for pre-arrest bail is **rejected**. The petitioner is directed to surrender before the Court below and seek regular bail, which will be considered on its own merit and without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

Shamshad/-

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