

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63799 of 2018

Arising Out of PS. Case No.-293 Year-2017 Thana- NAWADAH
COMPLAINT CASE District- Nawada

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Md. Alam Ansari, Son of Suleman Mian, Resident of Madhurapur
Tola Islampur, P.S.- Kauwakole, District Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sajda Khatoon, Wife of Md. Aalam Ansari, D/o Israil Mian, at
Madhurapur Tola, Islampur, P.S. Kauwakole, District- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s: Mr.Niraj Kumar

For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 08-01-2019 Heard learned counsel for the petitioner and learned APP for the
State.

2. The petitioner apprehends his arrest for the offences alleged
under Section 498, 380, 504 IPC and Section 3 and 4 of the D.P. Act
registered in connection with Complaint Case No. 293 of 2017.

3. It is submitted that the petitioner has been falsely implicated and
the fact of marriage with the complainant is specifically denied. It is
pointed out that a proposal had come for marriage of the complainant
with the petitioner in the year 2015, but as the complainant was a
minor of about 12 years of age, the proposal was refused and an
Informatory Petition No. 1538 of 2015 dated 28.09.2015 (Annexure-2)
was also filed before the learned Chief Judicial Magistrate, Nawada.

4. Learned counsel for the complainant appearing *suo motu*
opposes the anticipatory bail petition, submitting that subsequently
the marriage was solemnised and upon failure to fulfill the demand
for dowry, torture at the hands of the accused persons started.



5. Be that as it may, having regard to the entirety of the facts and circumstances, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Complaint Case No. 293 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- (i) That one of the bailors shall be a close relative of the petitioner.
- (ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- (iii) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

Chandran/-

(Vikash Jain, J)

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