

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79935 of 2019

Arising Out of PS. Case No.-233 Year-2018 Thana- GUTHANI District- Siwan

ISHTEYAQUE ANSARI Son of Wakil Ansari Resident of Village - Dhanauti,
P.S.- Guthani, Distt - Siwan.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Khushbun Nesha Wife of Ishteyaque Ansari, D/o Idrish Ansari Resident of Village - Dhanauti, P.S.- Guthani, Distt - Siwan, at present resident of Village - Kakiyadih, P.S.- Darauli, Distt - Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Tiwary
For the State	:	Mr.Ganesh Prasad Singh
For the informant	:	Mr. Javed Aslam, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 08-09-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 406, 498A, 307, 313, 315/34 of the Indian Penal Code.

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 matter was sent to Mediation Centre and settlement was arrived at between



the parties but subsequently, the informant is said to have left the house of the petitioner. 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 petitioner is husband of the victim. So far the offence under Sections 307, 313 & 315 are concerned, there is no medical examination report to support the said allegation. Rest of the offences are triable by Magistrate.

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 of the let the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/ (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Guthani P.S. Case No. 233 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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