

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10085 of 2020

Arising Out of PS. Case No.-179 Year-2019 Thana- KUNDWACHAINPUR District- East
Champaran

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Kaishar Ali @ Kesar Ali Son of Mustufa Sardar @ Mustafa Resident of
Village - Sisahni, P.S. - Kundwa, Chainpur, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Khushabu Nesha Wife of Kaishar Ali @ Kesar Ali Resident of Village -
Sisahni, P.S. - Kundwa, Chainpur, District - East Champaran. Present
Address - D/o Late Sheikh Raqueeb, Village and P.O.- Nimoia, P.S.-
Ghorasahan, District - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Zaki Haider
For the Opposite Party/s	:	Mr. Awadhesh Kumar Singh
For O.P. No.2	:	Mr. Ajay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 14-12-2021 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 504, 498(A) 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
there is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the present
due to petty family dispute. The case is triable by the Magistrate.
The petitioner has 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 petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikrahana at Dhaka, District East Champaran in connection with Kundwa Chainpur P.S. Case No.179 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Anjani Kumar Sharan, J.)

Sanjay/-

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