

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79559 of 2019

Arising Out of PS. Case No.-146 Year-2015 Thana- COMPLAINT CASE District- Araria

ASGAR ANSARI Son of Jumrati Ansari Resident of Village - Pararia,
Kalichowk, P.S.- Sikty, District- Araria

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bibi Shahnaj Begum Wife of Asgar Ansari, D/O - Mahiuddin Ansari
Resident of Village - Kharagacch, Momin Tola, P.S.- Sikty, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 28-09-2021 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in Complaint
Case No. 146C of 2015 registered under Section 498A/34 of the
Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

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 case due to
petty family dispute. The petitioner is husband of the victim. The
complainant is in habit of lodging the cases against the petitioner of
similar nature. On the earlier occasion also, the present complainant
had filed a case against the petitioner and his family members. 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/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve 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 Sub Divisional Judicial Magistrate, Araria in connection with Complaint Case No. 146C of 2015 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.

(Sudhir Singh, J)

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