

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29443 of 2021

Arising Out of PS. Case No.-945 Year-2020 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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BASARAT ANSARI Son of Late Murtuja Ansari Resident of Village-
Bichhiya, P.S.- Durgawati, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Salma Bibi Wife of Basarat Ansari Resident of Village- Bichhiya, P.S.-
Durgawati, District- Kaimur at Bhabua. At present Address- daughter of
Taslam Ansari, resident of Village- Sahuka, P.S.- Ramgarh, District- Kaimur
at Bhabua.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parwej Khan, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 29-11-2022 Learned counsel for the petitioner is permitted to

remove the defect (s), as pointed out by the office, if any, within

a period of four weeks from today.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case

registered for the offences punishable under Section 498(A) of

IPC and Section 4 of D. P.Act.

Allegation against the petitioner is of committing

torture upon the victim due to non-fulfillment of demand of

dowry.

Learned counsel for the petitioner submits that the



petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that it appears from the FIR that there is general and omnibus allegation against the petitioner.

Vide order dated 02.03.2022, the matter was referred to the Patna High Court Mediation and Conciliation Centre to explore the possibility of amicable settlement of dispute between the parties.

A report of the learned Mediator dated 18.08.2022 reveals that despite the best efforts, Mediation could not succeed.

Learned counsel for the informant, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that there is specific allegation against the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with



Complaint Case No. 945 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(2) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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