

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22281 of 2023

Arising Out of PS. Case No.-753 Year-2021 Thana- MUFFASIL District- West Champaran

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Washim Raja Ansari, S/O- Majahar Husain Ansari, Resident Of Bishunpura,
P.S.- Bagauchghat, Dist- Deoriya, U.P.

... .. Petitioner

Versus

1. The State of Bihar.
2. Shama Praveen, wife of Washim Raja Ansari, D/o- Md. Obaidullah,
Resident at Mansha Tola, Ward No-3, P.S.- Muffasil Bettiah, Dist- West
Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Krishna Kant Choudhary, Advocate
For the State	:	Mr.S hantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A), 406, 306, 420,
468/34 of the I.P.C. and $\frac{3}{4}$ of the D.P. Act.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfilment of demand of
dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. The petitioner has falsely been implicated



in the present case due to petty family dispute. The petitioner is the husband of the victim. Though the case has been instituted for an offence under Section 306 of the I.P.C. but the victim is still alive which is apparent from the record itself. Hence, the offence under Section 306 of the I.P.C. is not attracted in the present case. Rest of the offences are triable by the Magistrate. The petitioner has further 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below/concerned court, in connection with Bettiah Muffasil P.S. Case No. 753 of 2021, arising out of Complaint Petition No. 1116 of 2021 (G.R. No. 4805 of 2021), subject to the conditions



as laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioner is directed to co-operate during the trial. If the petitioner does not co-operate during the trial, the court below will be at liberty to cancel the bail bonds of the petitioner.

(Sudhir Singh, J)

U.K./-

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