

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23439 of 2024

Arising Out of PS. Case No.-70 Year-2023 Thana- LAXMIPUR District- Jamui

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1. Md. Wakil Ansari @ Wakil Ansari Son Of Ulfat Ansari Resident Of Village - Maura, P.S. - Gidhaur, District - Jamui
 2. Munni Khatoon Wife Of Md. Wakil Ansari Resident Of Village - Maura, P.S. - Gidhaur, District - Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghwendra Pratap Singh
For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-05-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in this instant case being parents of Md. Sanaul Ansari. It is next submitted that informant alleges that his daughter Salma Khatoon was having an affair with Sanaul Ansari. Further, Sanaul demanded Rs.1 lakh from his daughter and promised that if the money is given, he would solemnise



marriage with her, thereafter, it is alleged that the informant arranged Rs. 1 lakh and gave it to Sanaul Ansari and thereafter Sanaul Ansari solemnised court marriage with his daughter. Further, when the marriage certificate was demanded from Sanaul Ansari, he refused. It is further alleged that on 14.02.2023, his daughter disappeared and since then, she is not in contact with him, thus, apprehends that the accused persons including the petitioners abducted his daughter, accordingly, he went to the house of the accused persons but did not find anyone in the house and during course of search, he found the dead body of his daughter lying in a well.

4. The learned counsel submits that petitioners have been falsely implicated. It is further submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that there is no allegation of demand of dowry. It is further submitted that the case was instituted under section 302 of the Indian Penal Code but the police after investigation submitted charge sheet under section 306 of the Indian Penal Code. It is next submitted that Sanaul Ansari was arrested but after filing of charge sheet, he was released on bail by the learned District Court. It is further submitted that since Sanaul Ansari has been granted the privilege of regular bail, no useful purpose would be



served by sending the petitioners to jail, more so, the informant is not an eyewitness and there is no allegation of demand of dowry and torture against the petitioners.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Laxmipur/Gidhaur P.S. Case No.70/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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