

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18688 of 2016

Arising Out of PS. Case No.-1167 Year-2013 Thana- MUNGER COMPLAINT CASE
District- Munger

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Md. Eklakh Ahmad @ Pappu son of Late Md. Ali Ahmad, Resident of Sadar Bazar Near Masjid, P.S.- Jamalpur, District- Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Salma Khatoon daughter of Md. Salim wife of Eklakh Ahmad, resident of Mosin Tola, P.S.- Kharagpur, District- Munger

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh

For the Opposite Party/s : Mr. SANJAY KUMAR PANDEY (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

9 17-10-2017 None appears on behalf of the opposite party No.2.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code and $\frac{3}{4}$
of Dowry Prohibition Act.

The matter was referred to the Mediation Centre, Patna
High Court by order dated 17.5.2017 but the mediation failed as
per report of the Mediator.

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

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. 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 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 six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sadar, Munger in connection with Complaint case No.1167C of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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