

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17566 of 2017

Arising Out of PS.Case No. -1125 Year- 2015 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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Md. Zafar @ Md. Zafar Sah Son of Idrish, Resident of Village- Lakhanpur,
Police Station Tarapur, District Munger.

.... Petitioner

Versus

1. The State of Bihar.
2. Bibi Roksar Khatoon Wife of Md. Zafar Sah, Daughter of Md. Sarfuddin @ Dhori, Resident of Village- Lakhanpur, Police Station Tarapur, District Munger.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Md. Najmul Hodda, Advocate.
For the State : Mr. Brajendra Nath Pandey, A.P.P.
For the O.P. No. 2 : None.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 11-12-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State. No one appears for the opposite party no. 2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A) of the IPC and 3/4 of
the D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfillment of demand of dowry.

Vide order dated 29.06.2017, the matter was referred
to Patna High Court Mediation Committee. As per report of the
Mediator, mediation has failed.



It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. The case is 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 counsels 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 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 the learned S.D.J.M. Munger, in connection with Complaint Case No. 1125C of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

