

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21491 of 2017

Arising Out of PS.Case No. -1232 Year- 2013 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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Salauddin Mian @ Salaudin Mian @ Salamuddin Mian S/o Shahid Mian
Resident of Village- Deurwa, P.S. Bhairganj, District West Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Rukhasana Khatoon D/o Nemullah Mian, W/o Salauddin Mian @
Salaudin Mian@ Salamuddin Mian Resident of Village- Salaha, P.S.
Choutarwa, District- West Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-05-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 1232 of 2013 (T.R. No. 3619 of 2015)
for the offence instituted under Sections 498A of the Indian Penal
Code.

The allegation against the petitioner is of committing
assault and torture upon the complainant due to non-fulfillment of
the 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. Counseling was made in the court below but the complainant had refused to stay with the petitioner. 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 State, it has been submitted that the petitioner is named in the Complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 1232 of 2013 (T.R. No. 3619 of 2015) on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Bagaha at West Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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