

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17949 of 2017

Arising Out of PS. Case No.-1971 Year-2015 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Md. Alauddin @ Alam @ Alauddin Son of Lal Mohammad Resident of
Mahiwarpur (Manoharpur), Police Station- Manihari, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Munera Khatoon Wife of Md. Alauddin, Daughter of Jabbar Ali,
Presently residing at Village- Balughat, Police Station- Barari, District-
Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Rahmatullah, Advocate

For the Opposite Party/s : Mr. RAM SUMIRAN ROY, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-09-2017 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No.2.

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

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 and learned counsel for the opposite party No.2, 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 S.D.J.M., Katihar in connection with C.A. case No.1971 of 2015, 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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