

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24907 of 2017

Arising Out of PS. Case No.-673 Year-2014 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

=====

Md. Mubarak, son of Md. Namuddin, resident of Village- Bihari, P.S.-
Madhwapur, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Safina Khatoon, wife of Md. Mubarak, resident of Village- Bihari, P.S.-
Madhwapur, District- Madhubani.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. SRI ANUJ KUMAR SRIVASTAVA

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-10-2017 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 Sections 341, 328, 379, 498A and 504/34 of the
Indian Penal Code and $\frac{3}{4}$ 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 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 Judicial Magistrate, Benipatti, District Madhubani in connection with C.R. No.673 of 2014 bearing T.R. No.728 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

