

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26393 of 2017

Arising Out of PS.Case No. -232 Year- 2016 Thana -CHAUSA District- MADHEPURA

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1. Md. Azad Son of Ali Hasan, Resident of Village- Bakar Tola, Basaitha,
P.S-Chausa, District- Madhepura.

.... Petitioner

Versus

1. The State of Bihar.
2. Bibi Ajifa Khatoon, D/o Md. Jiauddin, W/o Md. Azad, Resident of
Village- Bakar Tola, P.S.- Chausa, District- Madhepura.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-10-2017 Heard learned counsel for the petitioner, learned

counsel for the Opposite Party No.2 and learned counsel appearing

on behalf of the State.

The petitioner is apprehending his arrest for the
offence instituted under Sections 341, 323, 498(A), 379, 504 and
506 of the Indian Penal Code.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the demand of
dowry.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the present



case. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State and the counsel for the Opposite Party No.2, it has been submitted that the petitioner is named in the F.I.R.

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 Chausa P.S. Case No. 232 of 2016 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, Udakishungan, Madhepura, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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