

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30079 of 2017**

Arising Out of PS.Case No. -21 Year- 2017 Thana -MASRAKH District- SARAN

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1. Himtaj Ali Son of Madish Mian, resident of Village- Bhagwanpur, Police Station- Panapur, District- Saran.

.... .... Petitioner

Versus

1. The State of Bihar.  
2. Gulshan Khatoon, Wife of Himtaj Ali & Daughter of Late Md. Raja, Residing of Village- Kawalpura, Police Station- Mashrak, District- Saran.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Jagdhar Prasad

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      13-07-2017                      Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Mashrak Case No. 21 of 2017 for the offences instituted under Sections 323, 406, 498(A), 379 of the Indian Penal Code and Section 3/4 of D.P. Act.

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 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. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted. 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 F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of her arrest or surrender before the learned court below within a period of six weeks from today in connection with Mashrak Case No. 21 of 2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-8th, Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Amit/-

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