

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26702 of 2017

Arising Out of PS. Case No.-3147 Year-2013 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Abdul Aziz @ Sheikh Azizullah Son of Late Mohammad Azizullah @ Late Mohammad Azimullah, Resident of Village- Netaji Housing Society Room No.203 E wing , Second Floor Thewar Nagar Kalyanwadi, P.S.- Dharabi 90 fit Road, District- Mumbai City.

... .. Petitioner/s

Versus

1. The State of Bihar .
2. Rubi Praveen , Daughter of Md. Moinul Haque, Resident of Mohalla- Gandhi Nagar, P.S.- Motihari Town, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : SMT. PRONATI SINGH, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 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 Sections 498A, 494, 495, 379, 420, 120B, 109 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 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Complaint case No.3147 of 2013, 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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