

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30017 of 2017**

Arising Out of PS.Case No. -2121 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE  
District- MUZAFFARPUR

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1. Haidar Ali Son of Rahman Mian, resident of Village- Peni Chhapra, P.S.-  
Kanti, District- Muzaffarpur.

.... .... Petitioner

Versus

1. The State of Bihar.  
2. Rubia Khatoon, wife of Md. Serfuddin, Daughter of Md. Hasim, resident  
of Village- Chaturpatti, P.S.- Paroo, District- Muzaffarpur.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Mr. Umanath Mishra

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

3      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 Complaint Case No. 2121 of 2014 (Tr. No.3330 of 2016) for  
the offences instituted under Sections 323, 313, 498A/34 of the  
Indian Penal Code and Section 3/4 of D.P. Act.

The allegation against the petitioner is that he along  
with other co-accused committed 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



petitioner is brother-in-law of the victim. He is separate in mess and property from the husband of the victim. The other co-accused have been granted bail vide Cr. Misc. No.40011 of 2016 and Cr. Misc. No. 10605 of 2016. 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 Complaint case.

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 Complaint Case No. 2121 of 2014 (Tr. No.3330 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 S.D.J.M., West Muzaffarpur, 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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