

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35243 of 2017

Arising Out of PS.Case No. -84 Year- 2016 Thana -KUTUMBA District- AURANGABAD

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1. Md. Firdosh Alam Son of Nizamuddin Mian @ Nizamuddin, R/o
Village- Bandua, P.S.- Kutumba, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. Shahnaz Praveen W/o Firdosh Alam, D/o Tabnum Mian, R/o Village-
Pipra, P.S.- Kutumba, District- Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh -5, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-08-2017 The earlier bail application of the petitioner was dismissed as withdrawn with the liberty to the petitioner to prefer an anticipatory bail before the Sessions Court as his earlier application was dismissed for non-prosecution in the court of Sessions.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 498(A) of the Indian Penal Code.

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 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 is submitted that the petitioner is named in the F.I.R.

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, Aurangabad in connection with Kutumba P.S. case No.84 of 2016, 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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