

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.40230 of 2017**

Arising Out of PS.Case No. -2333 Year- 2016 Thana -COMPLAINT CASE District- ARRARIA

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Md. Jasim, S/o Md. Israfil @ Israfil, Resident of Village- Kamalpur, P.S.-  
Raniganj, District- Araria.

.... .... Petitioner

Versus

1. The State of Bihar.
2. Fatma Khatoon, W/o Md. Jasim, D/o Tajuddin @ Tetar, Resident of  
Village- Kamalpur, P.S.- Raniganj, District- Araria.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Md. Naushad Uzzoha, Advocate.  
For the State : Mr. Md. Anzarul Haque Sahara

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

2      25-08-2017                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in connection  
with Complaint Case No. 2333-C/2016 for the offences instituted  
under Section 498(A) of the IPC.

The prosecution story, in brief, is that the accused  
persons including the petitioner tortured the complainant due to  
non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the  
petitioner that the petitioner has got no criminal antecedent. There  
is no allegation of tampering with the witnesses alleged against the  
petitioner. He 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.

It has been submitted by learned counsel for the State that the petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on 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. 2333-C/2016 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Araria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**

