

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.33733 of 2017**

Arising Out of PS.Case No. -142 Year- 2015 Thana -JALE District- DARBHANGA

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1. Shahzad Shah @ Sahzad son of Naseer Shah, R/o Village- Brahmapur,  
P.S.- Manigacchi, District- Darbhanga.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Ajmati Khatoon, D/o Md. Yunus, R/o Village- Saudia Tola Chak Milky,  
P.S.- Jalley , District- Darbhanga, District- Darbhanga.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dharmendra Jha, Advocate

For the Opposite Party/s : Mr. Rajkishore Singh, APP

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

2      20-07-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 504, 498(A)/34 of the Indian Penal Code and 3/4 of the 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 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 Chief Judicial Magistrate, Darbhanga in connection with Jalley P.S. case No.142 of 2015, 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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