

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33950 of 2017

Arising Out of PS.Case No. -1678 Year- 2014 Thana -COMPLAINT CASE District- JAMUI

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Md. Hamid Hussain, Son of Late Gulam Mohamad, Resident of Village-Kosi, P.S.-Roh, Dist. Nawadah.

.... Petitioner

Versus

1. The State of Bihar.
2. Mahzabin Begum, W/o Md. Hamid Hussain, D/o Md. Iliyas, R/o Vill-Kasi, P.S. Roh, Dist.-Nawadah, at Present Residing at Vill-Mohisauri, P.s. + Dist-Jamui.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Prakash Mahto, Advocate.

For the State : Mr. Arbind Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is apprehending his arrest in connection with Complaint Case No. 1678C/2014 for the offences instituted under Section 498(A)/34 of the IPC., and 3/4 of the D. P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the complainant 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 with the witnesses alleged against the petitioner. The



case is triable by the Magistrate. He has falsely been implicated in the present case due to petty family dispute. 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 learned counsel for 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 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. 1678C/2014 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., Jamui, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

