

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35760 of 2017

Arising Out of PS.Case No. -115 Year- 2017 Thana -BARSOI District- KATIHAR

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1. Md. Jabir Alam, son of Md. Majnu, Resident of Village- Pomra Barole,
Police Station- Barsou (Sudhani O.P.), District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Najma Begum, wife of Md. Jabir Alam, Resident of Village- Pomra
Barole, Police Station- Barsou (Sudhani O.P.), District- Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

02 10-08-2017 Heard learned counsel for the petitioner, and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in
connection with Barsoi (Sudhani O.P) P.S. Case No. 115 of 2017,
for the offence instituted under Sections 498(A), 504, 506/34 of
the Indian Penal Code and 4 of D.P. Act.

The allegation against the petitioner is of
committing 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 case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari 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 F.I.R.

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 Barsoi (Sudhani O.P) P.S. Case No. 115 of 2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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