

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42920 of 2017

Arising Out of PS.Case No. -25 Year- 2016 Thana -KALER District- JEHANABAD

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Rahmat Shah @ Md. Rahmat Shah, son of Jamal Shah, Resident of
Village- Dingraha, P.S.- Obara, District- Aurangabad.

.... Petitioner

Versus

1. The State of Bihar.
2. Saida Khatoon, Wife of Rahmat Shah, D/o Md. Kalam, Resident of
village- Dingraha, P.S.- Obara, District- Aurangabad, at present resident
of Village- Kaler, P.S.- Kaler, District- Arwal.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Rama Kant Singh, Advocate.

For the State : Mr. Sri Lalan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 Heard learned counsels for the petitioner, informant
and learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Kaler P.S. Case No. 25/2016 for the offences instituted under
Sections 341, 323, 504, 498(A) and 380/34 of the IPC and ¾ of
the D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the informant 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 counsels for the State and informant that the petitioner is named in the F.I.R.

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 Kaler P.S. Case No. 25/2016 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., Arwal, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

