

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42797 of 2017

Arising Out of PS.Case No. -145 Year- 2015 Thana -GAYA COMPLAINT CASE District- GAYA

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1. MD. MUKHTAR @ MD. IQUBAL @ MD. IQBAL, Son of Akhtar Ali,
Resident of Village- Makhdumpur Dih, P.S.- Makhdumpur, District-
Jehanabad.

.... Petitioner

Versus

1. The State of Bihar.
2. Rajia Sultana, W/o Md. Mukhtar @ Md. Iqbal, R/o Village Makhdumpur
Dih, P.S.- Makhdumpur, District- Jehanabad at present R/o at Manpur Jora
Jora Masjid, Patna Toli, P.S.- Buniyadganj, District- Gaya.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha
For the Opposite Party/s : Mr. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 145 of 2015 for the offence instituted
under Section 498A, 379, 323 and 504 of the Indian Penal Code.

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. He has falsely been
implicated in the present case. There is no allegation of tampering



of witnesses alleged against the petitioner. 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 Complaint Case.

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 Complaint Case No. 145 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-X, Gaya subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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