

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42403 of 2017

Arising Out of PS. Case No.-1915 Year-2014 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Md. Shahid Aqubal, S/o Abdul Quddu Mallick, Resident of House No.-4,
Road No.-4, Chandani Chowk, Islam Nagar, Police Station- Kapali, District-
Saraikela, Kharsawan (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar. null null
2. Rahat Tabassum, wife of Shahid Eqbal alias Aftatabi and daughter of Jamal Akhtar, Resident of Village- Aarhaa, P.S.- Chandradeep, District- Jamui, at present Mohalla- Takia Nawada, P.S. & District- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjesh Kumar Singh, Advocate
For the State	:	Mr. Ram Sevak Choudhary
For opposite party No.2	:	Mr. Sheo Kumar Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 3 18-09-2017 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No.2

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code and 4 of 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 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 and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case.

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 learned Sub Divisional Judicial Magistrate, Nawada in connection with Complaint case No.1915 of 2014, 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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