

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58876 of 2017

Arising Out of PS.Case No. -365 Year- 2017 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Asif Iquebal Ajazi, Son of Ajaz Ahmad, resident of Sector A, New
Azimabad Colony, Mahendru, P.S.- Bahadurpur, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Rumana Hashmi, Wife of Asif Iquebal Ajazi, daughter of Late Syed
Md. Sooaib, Resident of Mohalla Amlapatti, P.S. Motihari Town,
District- East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Rajesh Ranjan, Advocate.

For the State : Mr. Braj Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 08-12-2017 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the opposite party no.

2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A), 307, 384, 504,
120(B)/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 victim 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. The petitioner has falsely been implicated in the present case due to petty family dispute. It is further submitted that no offence under Sections 307 and 384 of the IPC is made out in the present case. There is no injury report to support the allegation made in the F.I.R. 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 counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned C.J.M. Motihari, in connection with Motihari Town P.S. Case No. 365 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)