

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47793 of 2016

Arising Out of PS.Case No. -683 Year- 2013 Thana -COMPLAINT CASE District- KISANGANJ

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1. Jahur Alam S/o Fazlur Rahman, resident of Village- Betbari, Police Station- Bahadurganj, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nirala Begum W/o Jahur Alam, resident of Village- Betbari, Police Station- Bahadurganj, District- Kishanganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar -2, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 20-07-2017 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the complainant.

The petitioner is apprehending his arrest in a case registered under Sections 323, 498(A), 379 of the Indian Penal Code and 34 of the 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 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. One criminal case has been instituted by the uncle of the complainant also. 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.**

On behalf of the State and learned counsel for the complainant, 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 Chief Judicial Magistrate, Kishanganj in connection with Complaint case No.683 of 2013, 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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