

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54564 of 2017

Arising Out of PS.Case No. -133 Year- 2017 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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1. MD. MAHTAB, S/o Md. Azeem Resident of Mohalla- Jamihan Ki
Gachhi, Bankey Sah Chowk, Chandwala, P.S. Town, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 147, 149, 448, 323, 354, 498(A), 504,
506 of the Indian Penal Code and 3/4 of D.P. Act.

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
there is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the present
case. 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 F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Town P.S. Case No. 133 of 2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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