

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21563 of 2017

Arising Out of PS.Case No. -379 Year- 2016 Thana -COMPLAINT CASE District- ARRARIA

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Md. Arshad @ Md. Arsad S/o Md. Alam Resident of Village - Fena Belahi,
P.S. - Jagbani, District - Araria.

.... Petitioner

Versus

1. The State of Bihar.
2. Bibi Jahana Khatoon W/o Md. Arshad, D/o Md. Jalaluddin Resident of village - Bathnaha, Station Chowk, Ward No. 1, Gram Panchayat - Sabajpur, P.S. - Jogbani, District - Araria.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2017 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. 379C of 2016 for the offences instituted under Sections 323, 316 and 498(A) of the Indian Penal Code but cognizance has been taken under Section 498(A) of the Indian Penal Code.

The allegation against the petitioner is of committing assault and torture upon the complainant 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. There is no allegation



of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Counseling was made in the court below but the complainant had refused to stay with the petitioner. 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, 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. 379C of 2016 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., Araria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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