

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13124 of 2017

Arising Out of PS. Case No.-49 Year-2015 Thana- MAHILA P.S. District- Banka

Md. Tufail Ahmad @ Tufail Ahmad, Son of Md. Zainul Abedin, resident of Village Shobhanpur Katoria, P.S. Amarpur, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Noori Halima, Wife of Md. Tufail Ahmad, daughter of Md. Islam Ansari, resident of Village- Shobhanpur Katoria, P.O. Shobhanpur Katoria, P.S. Amarpur, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate
For the Opposite Party/s : Mr. TAPESHWAR SHARMA, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 19-09-2017 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 Sections 498A, 341, 323, 313, 504/34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

The matter was referred to the Mediation Centre, but the settlement could not be arrived between the parties as per the report submitted by the Mediator.

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 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 F.I.R.

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 Smt. Kumari Saroj Kirti, Judicial Magistrate, 1st class, Banka in connection with Banka (Mahila) P.S. case No.49 of 2015, 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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