

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25948 of 2017

Arising Out of PS. Case No.-145 Year-2016 Thana- PIPRA District- East Champaran

Md. Mudasir Hussain @ Mudasil Hussain son of Md. Islam Sain resident of village - Manglapur, Police Station - Kalyanpur, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Samima Khatoon D/o Aziz Sai, resident of village Muslim tola chap, P.S. Pipara, District East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, APP
For the State	:	Mr. Sanjay Kumar Sharma, APP
For opposite party No.2	:	Mr. Sangeet Deokuliar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 17-10-2017 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 341, 323, 307, 379, 498A, 504/34 of the Indian Penal Code and $\frac{3}{4}$ of 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 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 learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Pipra P.s. case No.145 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It has mutually agreed between the parties that the petitioner shall deposit an amount of Rs.1500/- every month in the court below, which shall be released in favour of the opposite party No.2.

Narendra/-

(Sudhir Singh, J)

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