

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26824 of 2017**

Arising Out of PS.Case No. -1217 Year- 2015 Thana -COMPLAINT CASE District- ARRARIA

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1. Md. Azhar Alam @ Azhar, S/o Late Belal @ Islam, Resident of Village- Kuchha, Hirdaipur, P.S. Raniganj, District- Araria.

.... .... Petitioner

Versus

1. The State of Bihar.  
2. Bibi Rasida Khatoon, W/o Md. Azhar Alam @ Azhar D/o Md. Ali Hassan, Resident of Village- Ghaghri, P.S.- Baunsi, District- Araria.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      12-10-2017                      Heard learned counsel for the petitioner, learned counsel for the Opposite Party No.2 and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest for the offence instituted under Sections 498(A) of the Indian Penal Code.

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 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. 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 and the counsel for the Opposite Party No.2, 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.1217c/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Araria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Amit/-

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