

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33759 of 2017

Arising Out of PS.Case No. -78 Year- 2016 Thana -MAHILA PS District- GAYA

=====

Md. Akbar Sah Son of Late Ram Shamsuddin Sah, Resident of Village-
Khajuri Tika Saraiya, P.S.- Tandwa, District- Aurangabad.

.... Petitioner

Versus

1. The State of Bihar.
2. Farzana Khatoon, Wife of Md. Akbar Sah, Daughter of Shakat Ali,
Resident of Village- Gewal Bigha, P.S.- Rampur, District- Gaya.

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mrs. Leelawati Kumari, Advocate.
For the State : Mr. Ajay Kumar-1, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Mahila (Gaya) P.S. Case No. 78/2016 for the offences
instituted under Sections 498(A), 323, 341 and 379/34 of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the informant 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 with the witnesses alleged against the petitioner. The
case is triable by the Magistrate. He has falsely been implicated in



the present case due to petty family dispute. 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 learned counsel for 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 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 Mahila (Gaya) P.S. Case No. 78/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

