

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48903 of 2017

Arising Out of PS. Case No.-243 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Md. Ushaman, Son of Md. Nathuni Mian, Resident of Village- Chorma
(Murgia Tola), P.S.- Pakridayal, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Najbun Nisha, W/o Md. Ushaman, D/o Sadeek Miyan, Resident of Village-
Chorma (Murgia Tola), P.S.- Pakridayal, District- East Champaran, at present
R/o- Village- Noniman, P.S.- Rajepur, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Advocate
For the Opposite Party/s : Mr. HARENDRA PRASAD, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code.

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 case is triable by the Magistrate. 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, it is submitted that the petitioner is
named in the complaint case.

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 Miss Prity, Judicial Magistrate, 1st
class, Motihari in connection with Trial No.1090 of 2017 arising
out of Complaint case No.243 of 2017, 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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