

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51105 of 2017

Arising Out of PS.Case No. -2375 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Saved Alam @ Sabed Alam Son of Saukat Mian, R/o Village- Janerwa,
P.S.- Banjariya, District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Salamu Nisha, W/o Saved Alam, D/o Sultan Mian, R/o Village- Math
Lohiyar, P.S.- Harsidhi, District- East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-12-2017 Heard learned counsel for the petitioner, learned

counsel for the State and learned counsel appearing on behalf of

the O.P. No.2.

The petitioner is apprehending his arrest in a case
instituted under Sections 498(A), 379 of the Indian Penal Code
and 3/4 of D.P. Act but cognizance has been taken under Section
498(A) of the Indian Penal Code and 3/4 of D.P. Act.

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 counsel for the O.P. 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 arrest or surrender before the learned court below within a period of six weeks from today in connection with Tr. No.517/2017, arising out of Complaint Case No.C-2375/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M.1st Class, Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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