

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53022 of 2017

Arising Out of PS. Case No.-15 Year-2017 Thana- MAHILA PS District- Katihar

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Tabarak Ali, Son of Azher Ali, Resident of Village- Sonbarsa, Police Station-
Kohra, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ismat Tara, Daughter of Md. Alam, Resident of Village- Hathia Diara, Police
Station- Mufassil, District- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Fahimuddin
For the Opposite Party/s : Mr. SRI ANANT KUMAR

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 376, 498A, 379, 323 and 506/34 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 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 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 S.D.J.M., Katihar in
connection with Mahila P.S. case No.15 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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