

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18909 of 2017

Arising Out of PS. Case No.-52 Year-2016 Thana- MAHILA P.S. District- Purnia

Md. Ajmal, Son of Md. Nayeem, Resident of Village Mathurapur, P.S. Baisi,
District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Yasmin, Wife of Md. Ajaml Daughter of Md. Mohsin, Resident of Village Mahturapur, P.S. Baisi, District- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh kumar, Advocate
For the Opposite Party/s : Mr. HARENDRA PRASAD, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 23-11-2017 No one appears on behalf of the opposite party No.2.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 313, 420 and 498A/34 of the Indian
Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

By order dated 07.09.2017, the matter was referred to the
Mediation Centre. As per the report of the Mediator, the
mediation has failed.

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 Sub Divisional Judicial Magistrate, Purnea in connection with Mahila P.S. case No.52 of 2016, 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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