

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57630 of 2017

Arising Out of PS. Case No.-1287 Year-2015 Thana- COMPLAINT CASE District- Supaul

Md. Nabi Ahmad @ Nabi Mohammad, Son of Md. Soyab, resident of
Village- Maheshpur, P.S. and District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Asmina Khatoon, Wife of Md. Nabi Ahmad @ Nabi Mohammad, Daughter of Md. Saifullha, resident of Village- Nemua, P.S. and District- Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Advocate

For the Opposite Party/s : Mr. HARENDRA PRASAD, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-12-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 341, 323, 379, 498A, 380, 504/34 498A of the Indian Penal Code and 3 of Dowry Prohibition Act.

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 Shri Jitendra Kumar, learned Judicial
Magistrate, Supaul in connection with Complaint case
No.1287C of 2015, 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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