

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54340 of 2016

Arising Out of PS.Case No. -1300 Year- 2015 Thana -COMPLAINT CASE District- KISANGANJ

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Alamgir, son of Islam @ Islamuddin resident of Hat Kashibari, Police Station - Kochadhaman, District - Kishanganj.

.... Petitioner

Versus

1. The State of Bihar.
2. Afsana Begum daughter of Md. Basil resident of Foolbari, P.O. - Bhatabari, Police Station - Bahadurganj, District - Kishanganj.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Dilip Kumar Singh, Advocate.
For the State : Mr. Sri Bisheshwar Ram, A.P.P.
For O.P. No. 2 : None.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

10 11-12-2017 Heard learned counsel for the petitioner, learned A.P.P.
for the State. No one appears for opposite party no. 2.

The petitioner is apprehending his arrest in a case for the offence registered under Section 498(A) of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfillment of demand of dowry.

Vide order dated 31.07.2017, the matter was referred to the Patna High Court, Mediation and Conciliation Centre. As per report of the Mediator, mediation has failed.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the 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 further 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned S.D.J.M. Kishanganj, in connection with Complaint Case No. 1300C of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)