

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15349 of 2017

Arising Out of PS.Case No. -1078 Year- 2014 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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Md. Rahmat Alam son of Late Md. Naimuddin resident of village -
Khokhsi, P.S. - Golparsa, District - Madhepura.

.... Petitioner

Versus

1. The State of Bihar.
2. Afsana Khatoon wife of Md. Rahmat, D/o Md. Shafik resident of mohalla
- Bhorraha, Muslim Tola, P.S. - Beldaur, District - Khagaria.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai
For the Opposite Party/s : Mr. Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-04-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 1078C of 2014 for the offences
instituted under Sections 498A and 379 of the Indian Penal Code
and Section 4 of the D.P. Act.

The allegation against the petitioner is that he along
with his family members subjected cruelty with the complainant
due to non-fulfillment of the demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner has falsely been implicated in the present case. There is
no allegation of tampering of witnesses alleged against the



petitioner. For the same occurrence, two cases were instituted against the petitioner. In other case, the petitioner has already been granted bail. 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 (HC) 182.***

On behalf of the State and the counsel for the complainant, it has been submitted that the petitioner is named in the complaint.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 1078C of 2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Khagaria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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