

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28067 of 2017

Arising Out of PS.Case No. -261 Year- 2015 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. SALAUDDIN BAITHA @ SALAUDDIN MIAN Son of Bishmillah
Baitha, Resident of Village + Post Office- Semariya, Police Station- Kateya,
District- Gopalganj.

.... Petitioner

Versus

1. The State of Bihar.
2. Madina Khatoon, Wife of Salauddin Baitha @ Salauddin Mian and
Daughter of Hanif Baitha @ Hanif Mian, Resident of Village + Post Office-
Semariya, Police Station- Kateya, District- Gopalganj and at present
Residing at Village- Bhagwanpur, Post Office- Jamunha, Police Station-
Kateya, District- Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar

For the Opposite Party/s : Mr. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned counsel appearing on
behalf of the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 261 of 2015, Tr.No.1072/17 for the
offence instituted under Sections 498(A) of the Indian Penal
Code.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the 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. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State and the counsel for the informant, it has been submitted that the petitioner is named in the Complaint case.

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. 261 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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