

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27282 of 2017

Arising Out of PS. Case No.-208 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

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Md. Akbar Malik @ Imam @ Md. Akbar Imam, S/o Late Afjal Imam,
resident of near at Chik Toli Chaurahe Ke Maszid, K.B. Road, P.S. Chauk,
Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rehana Khatun, W/o Akbar Imam (wrongly given), actual wife of
Kamaluddin, resident of Harnaha, P.S. Chauk, Dist.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao, Advocate
For the Opposite Party/s : SMT PUSHPA SINHA, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 19-09-2017 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code.

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 and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case.

Considering the facts and circumstances, the provisional anticipatory bail granted to the petitioner by order dated 01.07.2017 in connection with Complaint case No.208 of 2015 pending in the court of A.C.J.M. V, Patna City, is hereby confirmed.

(Sudhir Singh, J)

Narendra/-

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