

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56449 of 2017

Arising Out of PS.Case No. -1314 Year- 2016 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Mohammad Sakil, Son of Md. Saddik, Resident of Village- Mirdaha
Sonpur, P.S.- Sonpur, District- Saran (Chapra).

.... Petitioner

Versus

1. The State of Bihar.
2. Tarannum Khatoon, Wife of Mohammad Sakil, Daughter of Ahmed Hussain, resident of Village- Mirdaha Sonpur, P.S.- Sonpur, District- Saran. at present resident of Mohalla- Noongola, P.S.- Town Hajipur, District- Vaishali.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Syed Asgher Najmi, Advocate.
For the State : Mr. Tarkeshwar Nath Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-11-2017 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the opposite party no.

2.

The petitioner is apprehending his arrest in a case for

the offence registered under Sections 498(A) of the IPC and 4 of

the D.P. Act.

The prosecution story, in brief, is that the accused

persons including the petitioner tortured the victim due to non-

fulfillment of demand of dowry.

It has been submitted by learned counsel for the

petitioner that the petitioner has falsely been implicated in the

present case due to petty family dispute. There is no allegation of



tampering with the witnesses alleged against the petitioner. It is further submitted that the present case has been instituted after 11 years of marriage. Later on, one more case has also been instituted by the brother of the victim only with an intention to harass the petitioner. 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 counsels for the State and opposite party no. 2, 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. Vaishali at Hajipur, in connection with Complaint Case No. 1314 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)