

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61731 of 2017

Arising Out of PS.Case No. -191 Year- 2017 Thana -COMPLAINT CASE District- ARRARIA

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1. Md. Sahab Anwar @ Sahab Alam @ Sahab Anwar, S/o Md. Sabir Ali,
Resident of Village- Bhag Mohabbat, P.S. Araria, District- Araria.

.... Petitioner

Versus

1. The State of Bihar.
2. Ghazia Perween, W/o Md. Sahab Ahmad, D/o Md. Awesh Ahmad.
Resident of village- Gaira, P.S. Araria, District- Araria.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-12-2017 Heard learned Counsel for the petitioner and learned
Counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in a case
instituted under Section 498A of the Indian Penal Code and
Sections 3 of the Dowry Prohibition Act.

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 v. The State of Bihar**, reported in **2006 (3) PLJR 182**.

On behalf of the State, 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 arrest or surrender before the learned Court below within a period of six weeks from today in connection with Complaint Case No. 191 of 2017 on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Araria, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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