

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37570 of 2017

Arising Out of PS.Case No. -74 Year- 2016 Thana -ASHOK PAPER MILL District- DARBHANGA

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Gulam Akhtar, S/O Late Md. Rafique, R/V- Akbarpur, P.S.A.P.M., District-Darbhanga.

.... Petitioner

Versus

1. The State of Bihar.
2. Zarina Khatoon, W/O Gulam Akhtar, R/V-Akbarpur, P.S. A.P.M., District-Darbhanga, at present Jarina Khatoon, D/O Md. Islam, resident at Village- Chandanpatti, P.S. AP.M., (Patore O.P.), District-Darbhanga.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Vinay Kumar Mishra, Advocate.

For the State : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with A.P.M. P.S. Case No. 74 of 2016 for the offences instituted under Sections 341, 323, 498(A), 504 of the IPC and $\frac{3}{4}$ of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the informant 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 with the witnesses alleged against the petitioner. He has falsely been implicated in the present case due to petty family dispute. 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 State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on 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 A.P.M. P.S. Case No. 74 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Darbhanga, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

