

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45504 of 2017

Arising Out of PS. Case No.-830 Year-2015 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Md. Tabrej @ Mittu @ Md. Tabrej Alam son of Md. Shamshad, resident of
Bihakhanpur Gumti No.3, Islamnagar, P.S. Ishakchak, District Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Tabussum Nishad @ Gudiya w/o Tabrej @ Mithu D/o Md. Iqbal R/o
Bhiakhanpur Gumti No.3 Islamnagar, P.S. Ishakchak, Dist. Bhagalpur, at
present Mohaddinpur Haldidaha, Habibpur, Dist. Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anwar Karim, Advocate
For the State : Mr. C. Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-09-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code and ¾
of Dowry Prohibition Act.

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, it is submitted that the petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned Sub Divisional Judicial Magistrate, Bhagalpur in connection with Bhagalpur Complaint case No.830 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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