IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46433 of 2017

Arising Out of PS.Case No. -564 Year- 2016 Thana -COMPLAINT CASE District- KISANGANJ

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Shamim Akhtar Son of Md. Alam Resident of Village- Tetalia, Modah, Police Station- Kochadhaman, District- Kishanganj.

.... Petitioner

Versus

1. The State of Bihar.
2. Nirala Begum Wife of Shamim Akhtar Resident of Village- Tetalia, Modah, Police Station- Kochadhaman, District- Kishanganj.Mobile No. 9572428476 At Present resident of Village- Jairail, Police Station- Bahadurganj, District- Kishanganj.

.... Opposite Parties

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Appearance :
For the Petitioner : Mr. Dilip Kumar Singh, Advocate.
For the State : Mr. Ajay Kumar -2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 498(A)/34 of the IPC and Section 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 got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the

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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 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, 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. , Kishanganj, in connection with Complaint Case No. 564 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

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(Sudhir Singh, J)

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