

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.50344 of 2017**

Arising Out of PS.Case No. -427 Year- 2017 Thana -BEGUSARAI COMPLAINT CASE District-  
BEGUSARAI

=====

Md. Nasim, S/O Md. Shamim @ Raju Mistri, R/V- Samastipur Atarua, P.S.  
Bhagwanpur, District-Begusarai.

.... .... Petitioner

Versus

1. The State of Bihar.
2. Jainab Fatima, W/O Md. Nasim, D/O S.M. Imtiyaz Ahmad, presently  
residing at Village- Fulbariya Tara Adda, P.S. Fulbariya, District-  
Begusarai.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Surendra Kishore Thakur, Advocate.

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

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      17-10-2017                      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) and 406 of the IPC.

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  
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 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 A.C.J.M.-IVth, Begusarai, in connection with Complaint Case No. 427 (C) of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**

