

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39600 of 2018**

Arising Out of PS. Case No.-1173 Year-2017 Thana- COMPLAINT CASE District- Araria

Md. Sahnawaz Alam @ Sahnawaz S/o Md. Matiur Rahman Resident of Village - Mainapur, Ward No. 12, P.S. - Araria, District - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Gulnaz Khatoon W/o Md. Sahnawaz Alam @ Sahnawaz, D/o Md. Mursid Alam Resident of Village - Mainapur, Idgah Tola, Ward No. 14, P.S. + Distt - Araria.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Md. Ziaul Quamar  
For the Opposite Party/s : Mr. Abhay Kumar Roy

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

2      05-07-2018                      Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 323, 341, 406 of the Indian Penal Code and  $\frac{3}{4}$  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/F.I.R.

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, Araria in connection with Complaint case No.1173C of 2017, 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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