

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41327 of 2018

Arising Out of PS. Case No.-169 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Gyasuddin Mian, S/o. Alamgir Mian, Resident of Village- Khairwa, P.S. Chhauradano, District- East Champaran.

... .. Petitioner/s

Versus

1. State Of Bihar.
2. Najrun Khatoon W/o. Gayasudin Mian, R/o. Village- Khairwa, P.O.- Bela Chamhi, P.S.- Chhauradano, District- East Champaran, at present resident of Village- Shivpur Haraiya, P.O.- Raxaul, P.O.- Haraiya, O.P. Raxaul, District- East Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii
For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 323, 498A/34 of the Indian Penal Code and 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, Motihari, East Champaran in connection with Trial No. 2378 of 2018 arising out of Complaint Case No. C-169 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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