

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42371 of 2018

Arising Out of PS. Case No.-80 Year-2017 Thana- MAHILA PS District- Katihar

Md. Razzaque @ Md. Razzaue @ Reza @ Razak Alam, Son of Yunus @ Unsa, Resident of Village- Sohragachhi, Police Staion- Azamnagar, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Rahmatullah

For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-07-2018 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, 313, 377, 323, 342, 506/34 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. There is no medical examination report in support of the allegations made in respect of offence under



Section 313 I.P.C. Rest of the offences are 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 S.D.J.M., Katihar in connection with Katihar Mahila P.S. case No.80 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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