

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43962 of 2018

Arising Out of PS.Case No. -28117 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Shamim Ahmad, S/o Md. Umer Khan, R/o Holding No. J-490, Paharpur
Road, Fatehpur, P.S.- Garden Reach, Kolkata-700024.

.... Petitioner

Versus

1. The State of Bihar.
2. Nusrat Yasmin, aged about 25 Years, W/o Shamim Ahmad, D/o Abdul
Ahad Khan, R/o A1/484, Indapuri Colony, P.S.- Shastri Nagar, District-
Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Yogesh Chandra Verma, Sr. Advocate
and Md. Shamsheer Imam, Advocate.
For the State : Mr. Ahtash Ali Khan, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioner, learned
counsel for the O.P. No. 2 and learned A.P.P. for the State.

The petitioner is languishing in custody since
17.05.2018 in a case for the offence registered under Sections
498(A) of the IPC and 3/4 of the D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment 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, be released on 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., Patna, in connection with Complaint Case No. 28117 of 2014.

The petitioner shall be present on each and every date fixed by the learned court below. If the petitioner absents himself on two consecutive dates, the learned court below shall be at liberty to cancel the bail bond of the petitioner.

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(Sudhir Singh, J)

