

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.985 of 2017

Arising Out of PS. Case No.-99 Year-2016 Thana- MAHILA P.S. District- Araria

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Soyeb Alam @ Md. Soyeb Alam @ Md. Soyeb, S/o Md. Qudus, resident of
Village- Gamharia, P.S. Jokihat, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Nusrat Jahan, D/o Md. Jumman, resident of Village- Jogendra, P.S.-
Jokihat (Mahalgaon) District- Araria.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Anil Prasad Singh, Advocate
For the State	:	Mr. PANCHANAND PANDIT, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

8 04-01-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case
registered under Sections 498A, 342, 323, 379/34 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. 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.

It has been submitted on behalf of the parties that the matter has been settled and both the parties are residing together. The opposite party No.2 does not want to pursue the present case.

On behalf of the State and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the F.I.R.

Considering the submissions made on behalf of the parties, 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., Araria in connection with Araria (Mahila) P.S. case No.99 of 2016, 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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