

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62150 of 2018

Arising Out of PS. Case No.-2440 Year-2016 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Sadare Alam Son of Maksood Alam@ Maksud Miya Resident of Village-
Alakhbandhi Utarwari Tola, P.S. Kalyanpur, District- East Champaran
Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Tarana Khatoon w/o Sadare Alam D/o Md. Mahboob Ali, R/v Mokam Pedri
Sakunat, Chaklalu Samadpura, P.S. Mehshi, Dist. East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s : Mr. Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-10-2018 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, 406, 323, 307, 504, 306 of the I.P.C. and $\frac{3}{4}$ of Dowry Prohibition Act, but cognizance has been taken under Section 498A of the I.P.C. and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and assault 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.

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 C.J.M., Motihari, East Champaran in connection with Complaint case No.2440 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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