

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23543 of 2017

Arising Out of PS. Case No.-77 Year-2010 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Md. Nasimmuddin @ Md. Nasim Uddin S/o Md. Shahadat, resident of
village+P.O. Saharsa Basti, P.S. & District Saharsa

... .. Petitioner/s

Versus

1. State Of Bihar
2. Nushrat Praveen wife of Md. Nasimuddin daughter of Md. Shamimuddin,
resident of Saharsa Basti, at present resident of village Saidpur, P.S. Mansi,
District Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Diwakar Prasad Singh, Advocate
For the State	:	Smt. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 13-02-2018 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 Section 498A of the Indian Penal Code.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfilment of demand of dowry.

By order dated 13.06.2017, the matter was referred to the
Patna High Court Mediation Centre, Patna. As per the report of
the Mediator, the mediation has failed.

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 and learned counsel for the opposite party No.2, 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 S.D.J.M., Khagaria in connection with Complaint case No.77C of 2010, 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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