

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74060 of 2018

Arising Out of PS. Case No.-2601 Year-2017 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Mahfuj Alam @ Md. Mahfuj, S/o Late Md. Dulal, Resident of Village-
Anarkali, P.S.- Barari (Semapur), District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Almesa Khatoon, S/o Abdul Jalil, Resident of Village- Marghiya, Kadar Tola,
P.S.- Barari, District- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey
For the Opposite Party/s : Mr. Sri Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-12-2018 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, 34 of the Indian Penal Code
and ³/₄ of Dowry Prohibition Act.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment 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/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 Complaint Case No. 2601/17, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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