

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12671 of 2018

Arising Out of PS. Case No.-116 Year-2015 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Md. Saif Ali @ Nazil S/o Md. Yunus, R/o Village- Maubi Chak, P.S.-
Chandauti, Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nazia Khatoon W/o Md. Saif Ali @ Nazil D/o Md. Namim, R/o Villlage-
Dhamodarpur, P.S.- Makhdumpur, Distt.- Jehanabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. S. Jamil Akhtar, Adv.
For the State	:	Mr. Humayou Ahmad Khan, APP
For O.P. No.2	:	Mr. Rampravesh Nath Tiwari, Adv.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-04-2018 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 I.P.C.

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

On 07.03.2018, the matter was adjourned on the
submission of the parties that they wanted to file a joint affidavit
in respect to one time settlement. Similar prayer was made on



22.03.2018. When the matter is taken up today, it has been submitted that no settlement could be arrived between the parties.

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 C.J.M., Jehanabad in connection with Complaint case No.116 of 2015,



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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