

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9294 of 2018

Arising Out of PS. Case No.-3950 Year-2012 Thana- COMPLAINT CASE District- Araria

Md. Ali @ Chunna, S/o Ali Hasan, resident of Village- Chamgadh Bhatta
Tola, P.S.- Murliganj, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rehana Khatoon, W/o Md. Ali @ Chunna, D/o- Md. Saddik, resident of
Village- Sahadat Tola, Bisharia, P.S.- Bhargama, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha
For the Opposite Party/s : Mr. AHMAD ALI

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2018 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, 323, 504 of the I.P.C. and 31 of the Domestic Violence Act, 2005, but cognizance has been taken under Section 498A of the I.P.C. and 31 of the Domestic Violence Act, 2005.

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.

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 Judicial Magistrate, 1st class, Araria in connection with Complaint case No.3950C of 2012, 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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