

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23641 of 2018

Arising Out of PS. Case No.-174 Year-2017 Thana- BASANTPUR District- Siwan

Md. Yasin, Son of Late Saiyad Hasan, resident of Village- Badi Lakari, P.S. Basantpur (Lakari Nabiganj) O.P. District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Hasn Aara Khatoon, Wife of Md. Yasin Daughter of Kitab Miyan, Resident of Village- Ahiya Rampur P.S. Bhorey, District Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-04-2018 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 Sections 498A, 341, 323, 325, 504, 354/34 of the Indian Penal Code.

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 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 victim is in habit of instituting cases for similar offence against the petitioner and



his family members. 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 Chief Judicial Magistrate, Siwan in connection with Basantpur P.S. Case No. 174 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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