

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16951 of 2018

Arising Out of PS. Case No.-804 Year-2017 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Firoz Khan @ Md. Firoz Khan, S/o Abdul Hafiz, resident of Mohalla- Babuganj (behind Iliyas Hussain School), Ward No. 35 Barah Pathar, P.O. and P.S. Dehri, District- Rohtas (Bihar), Permanent Reside as Mohalla- Hajipur (Nagar) Panchayat Road, Near gola, P.O. & P.S.- Rafiganj, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Noorjha Bano, W/o Irshad Alam @ Chhotu, D/o Late Fahimuddin Khalifa, Resident of Mohall- Barah Pathar (Masjid Road, Gali no. 2), P.O. and P.S.- Dehri, District- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari
For the Opposite Party/s : Mr. SATYAVARAT VERMA

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-03-2018 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 and 323 of the Indian Penal Code.

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 there is no allegation of tampering of witnesses alleged against the petitioner. The victim is in habit of instituting cases for



similar offences. The petitioner is father-in-law of the victim. He 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 Chief Judicial Magistrate, Rohtas at Sasaram in connection with Complaint Case No. 804/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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