

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26194 of 2018**

Arising Out of PS. Case No.-37 Year-2015 Thana- KHAJEKALLAN District- Patna

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Md. Shamim, S/o Md. Ajim Airaki, A resident of Village- New Arwal Handi,  
P.S.- Arwal, District- Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shama Pravin D/o Md. Jamil, w/o Md. Shamim, a resident of Sah Ki Imali,  
P.s. Khajekalan, District Patna

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Chandrasen Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      30-04-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 498A/34 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 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 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., Patna  
City in connection with Khajekalan P.S. case No.37 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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