

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51091 of 2017

Arising Out of PS. Case No.-63 Year-2017 Thana- NAYAGAON District- Saran

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Md. Samir Son of Md. Idrish, Resident of Village-Baherwa Gacchi P.S.-
Nayagaon District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amina Khatoon Wife of Md. Samin Resident of Village-Baherwa Gacchi
P.S.-Nayagaon District-Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar
For the Opposite Party/s : Mr. UMESH LAL VERMA

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 19-02-2018 Heard learned counsel for the petitioner, learned APP
for the State and the learned counsel for the O.P. No. 2.

The petitioner is apprehending his arrest in a case registered under Sections 143, 341, 323, 307, 379 and 498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

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 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. There is no medical



report to support the allegations for constituting offence under Section 307 of the Indian Penal Code. 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 A.C.J.M.-13, Chapra, District- Saran in connection with Nayagaon P.S. Case No. 63 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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