

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54502 of 2017

Arising Out of PS.Case No. -268 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Saheb Mian @ Saheb Alam S/o Bhoj Mian resident of Village-
Tengarahiya, P.S. Gopalpur, District- West Champaran.

.... Petitioner

Versus

1. The State of Bihar.

2. Tamanna Khatoon, w/o Saheb Mian d/o hakim Mian r/o Tengarahiya
P.S. Gopalpur, District- West Champaran currently r/o Tapasi Parsauna P.S.
Palanwa District East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 16-01-2018 Heard learned counsel for the petitioner and learned

counsel appearing for the State and learned counsel for the O.P.

No.2.

The petitioner is apprehending his arrest in a case
instituted under Sections 307, 498A, 504, 379 of the Indian Penal
Code and 3/4 of D.P. Act but cognizance has been taken under
Section 498A of the Indian Penal Code.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the 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. The complainant is in habit of filing such type of cases against the petitioner. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State and counsel for the O.P. No.2, it has been submitted that the petitioner is named in the Complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No.268/2016, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri B.K. Tripathi, J.M. 1st Class, East Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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