

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62151 of 2017

Arising Out of PS.Case No. -129 Year- 2017 Thana -BELHAR District- BANKA

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1. Sarfaraj Ansari Son of Israfil Mian Resident of village Lakarkhoba, P.S. Belhar, District - Banka.

.... Petitioner

Versus

1. The State of Bihar.
2. Tabassum Khatoon W/o Sarfaraj Ansari and D/o Md. Kalim Ansari Resident of Village Sueia, P.S. Sueia, District - Banka.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Opposite Party/s : Mr. C. Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-01-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case instituted under Sections 341, 323, 308, 498A, 504, 34 of the Indian Penal Code and ¾ D.P. Act.

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 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 present case has been instituted against the petitioner. No offence under Section 308 of the Indian Penal Code is made out as there is no injury report to support the allegations made in the F.I.R. 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, it has been submitted that the petitioner is named in the F.I.R.

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 Belhar P.S. Case No.129 of 2017 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Banka, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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