

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36838 of 2018

Arising Out of PS. Case No.-22 Year-2017 Thana- MAHILA PS District- East Champaran

Sk. Ayaz @ Sk. Aiyaz Son of Sk. Abdul Hai @ Sk. Abdul Haque, Resident of
Village- Shekhi Chakia, P.S.- Chakia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Krishna Kant Singh, Advocate
For the State	:	Mr. Uday Chand Prasad, APP
For the Informant	:	Mr. Anisur Rahman, Advocate
		Mr. Akram Naiyar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-07-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 307, 494, 498A, 354B, 504/34 of the Indian Penal Code.

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 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 victim is in habit of instituting cases for similar offence against the petitioner and



his family members. This is the fourth case for similar offence instituted by the informant and his family members. The injury report does not indicate that the injury is simple or grievous. Except for offence under Section 307 of the I.P.C. rest of the offences are tribale 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 A.C.J.M. 13, East Champaran at Motihari in connection with Mahila P.S. case No.22 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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