

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62656 of 2017

Arising Out of PS.Case No. -3330 Year- 2015 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1.MD. SHAKEEL ANSARI @ MD SHAKEEL

2.Md. Kadir, both sons of Md. Mustak

.... Petitioners

Versus

1. State of Bihar

2. Nasima Khatoon

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey

For the Opposite Party/s : Mr. Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 04-01-2018

Heard learned counsel for the petitioners, learned
counsel for the State and learned counsel appearing on behalf of
the O.P. No.2.

The petitioners are apprehending their arrest in a case
instituted under Sections 323, 406, 498A/34 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 petitioners that
the petitioners have got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioners. The petitioners have falsely been implicated in the
present case. The case is triable by the Magistrate. The petitioner



no.1 is husband of the victim. Due to petty family dispute, the present case has been instituted against the petitioner no.1. Petitioner no.2 is brother-in-law of the victim. He is separate in mess and property from the husband of the victim. The petitioners have 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 petitioners are 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 Tr. No.827/2017, arising out of Complaint Case No.3330/2015 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-cum-Sub Judge-5th, Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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