

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55238 of 2016**

Arising Out of PS.Case No. -896 Year- 2015 Thana -COMPLAINT CASE District- KISANGANJ

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1. Md. Haziruddin Son of late Lazimuddin Resident of Village- Palasmani,  
P.S.- Bahadurganj, District- Kishanganj.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Phuldari Begum Wife of Md. Haziruddin , Daughter of Sainuddin  
Resident of Village- Palasmani, P.S.- Bahadurganj, District- Kishanganj.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Md. Hussain

For the Opposite Party/s : Mr. Smt. Sharda Kumari

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

6      21-03-2018                      By order dated 28-06-2017, the matter was referred to  
the Mediation Centre.

As per report of the Mediator, the mediation has failed.

Heard learned counsel for the petitioner, learned APP for the  
State and learned counsel appearing for opposite party No. 2.

The petitioner is apprehending his arrest in a complaint  
case registered under Sections- 498A, 323/34 of the Indian Penal  
Code and 4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture  
upon the victim due to non-fulfillment 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. The case is triable 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 Sub Divisional Judicial Magistrate, Kishanganj in connection with Complaint Case No. 896C of 2015 , subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V./-

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