

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.324 of 2018

Arising Out of PS.Case No. -10 Year- 2017 Thana -MAHILA P.S. District- PURNIA

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1. Md. Fasih Ahmed @ Md. Fasih Ahmad Son of Md. Azhar Resident of
village- Dogachhi, P.S.- Kasba, District- Purnia

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-01-2018 Learned counsel for the petitioner is permitted to make

necessary correction in para-1 of the application in course of day.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 406, 307, 498(A) of the Indian Penal
Code, 3/4 of D.P. Act and Section-7 of Domestic Violence 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. There is no injury report to support the allegations made in the F.I.R. for constituting an offence under Section 307 of the Indian Penal Code. 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 Mahila P.S. Case No.10 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 C.J.M., Purnea, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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