

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57475 of 2017

Arising Out of PS.Case No. -2427 Year- 2015 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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MD. WASIM KHAN @ MD. WASIM, S/o Late Salim Khan, R/o Mohalla-
Ram Bagh Nakulwa Chowk, P.S.- Mithanpur, District- Muzaaffarpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Sajia Sultana, W/o Md. Wasim Khan, D/o Anjar Ahmad, R/o Village-
Rambagh Mohalla- Nalkulwa, Chowk, P.S.- Mithanpura, District-
Muzaaffarpur, presently residing at Kalibagh, ward No. 13, P.S.- Bettiah,
Nagar, District- West Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sri Niwas Jha, Advocate.
For the State : Mr. Satyadev Prasad Singh Yadav, A.P.P.
For the O.P. No. 2 : Mr. Bimlesh Kumar Pandey, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 3 06-02-2018 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the opposite party no.

2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 323, 498(A) of the IPC and 4
of the D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfillment of demand of dowry.

The matter was referred to the Patna High Court,



Mediation & Conciliation Centre vide order dated 07.12.2017. As per the report of the Mediator, mediation has failed.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the 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 further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned C.J.M. West Champaran at Bettiah, in connection with Complaint Case No. 2427 of 2015, SC No. 1080 of 2016, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

