

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11372 of 2017

Arising Out of PS. Case No.-1280 Year-2015 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Md. Asgar S/o Md. Olee @ Md.Olo, Resident of Village- Dharmchandra,
P.S.- Tisiauta, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Soni Khatoon @ Rubina Khatoon, W/o Md. Asgar, D/o Late Mansoor,
Resident of Village- Brachanda, P.O.- Brahanda, P.S.- Minapur, District-
Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Shiva Shankar Sharma, Advocate
For the State	:	Mr. MUSTAQUE ALAM, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

8 04-01-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code and
Section 4 of the Dowry Prohibition Act.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfilment 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.

Joint prayer has been made on behalf of the parties that the matter has already been settled between them and they are residing together.

On behalf of the State and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case.

Considering the submissions made on behalf of the parties, 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 S.D.J.M., East, Muzaffarpur in connection with Complaint case No.1280 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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