

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37993 of 2018

Arising Out of PS. Case No.-168 Year-2018 Thana- NAWADA District- Nawada

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Md. Nadeem Khan @ Md. Nadeem, Son of Sahabuddin @ Gabar Singh,
Resident of Mohalla- Dada Dariya Shah Colony, Moglakhar, Nawada, P.S.-
Bundelkhand O.P., District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 498A, 363 and 365 of the
Indian Penal Code.

Allegation against the petitioner is of committing
torture and assault 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. No offence under



Sections 363 and 365 of the Indian Penal Code is made out as in course of investigation, it has come that the girl had left the house of the petitioner on her own. 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 Chief Judicial Magistrate, Nawada in connection with Nawada (Bundelkhand) P.S. Case No. 168 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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