

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3871 of 2018

Arising Out of PS.Case No. -614 Year- 2016 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

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1. Sahbaz Ahmed @ Sitarey, Son of Shamim Ahmad, Resident of village-
Chandanpatti, P.S.- Ashok Paper Mill, District- Darbhanga, Presently
Resident of Village- Ballopur Ekmi, P.S.- Bahadurpur, District- Darbhanga.

.... Petitioner

Versus

1. The State of Bihar.
2. Faukiya Farheen @ Rokaiya, Daughter of Late Md. Usman @ Hakim
Md. Usman Shahid Hashmi, resident of Mohalla- Zakaria Colony Sadpura,
P.S.- Kazi Mohammadpur, District- Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-01-2018 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the O.P. No.2.

The petitioner is apprehending his arrest in a case
instituted under Section 498A of the Indian Penal Code and 3/4 of
D.P. 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. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. 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 Complaint.

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 Complaint Case No.614/2016, Tr. No.2296/2017 on furnishing bail bond 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, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is expected that the petitioner shall co-operate during the trial.

(Sudhir Singh, J)

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