

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7758 of 2018

Arising Out of PS.Case No. -126 Year- 2017 Thana -HATHUA District- GOPALGANJ

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Seraj Khan @ Sheraj Khan @ Seraj, S/o Firoj Khan, R/o Village- Yado
Pipra, P.S.- Hathua, District- Gopalganj.

.... Petitioner

Versus

1. The State of Bihar.
2. Gulshan Khatun W/o Sheraj Khan, D/o Ajij Khan, R/o Village- Fataha,
P.S. & District- Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Javed Aslam, Advocate.

For the State : Mr. Tapeswar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-02-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 341, 323, 498(A), 328/34 of
the IPC and ¾ 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.

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. There is no medical examination report to make out a case for the offence under Section 328 of the IPC. 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, 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. Gopalganj, in connection with Hathua P.S. Case No. 126 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

