

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32284 of 2018

Arising Out of PS.Case No. -1320 Year- 2015 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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1. Parwez Akhtar @ Perwez Akhter Son of Late Md. Jamal Khan.
2. Soeba Khatoon @ Soeba Khanam, Wife of Parwez Akhtar Perwez @ Akhter. Both resident of Mohalla Mastanganj Ansar Nagar, P.S. Nawada (Bundelkhand) District Nawada at present resident of 95, Dr. Lal Mohan Bhattacharya Road, P.S.- Etally Kokatta Bangal- 700014.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Yasmin Khatoon, Wife of Faiyaz Akhtar @ Faiyaz Akhtar, D/o Md. Safi Ahmad, R/o Mohalla Islam Nagar P.S. Nawada District Nawada, at present residing at U- 66/C, M.H.D. Lane, P.S. Rajabagan Kolkatta-700018.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-06-2018 Learned Counsel for the petitioners is permitted to make necessary correction in paragraph 3 of the main application in course of the day.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Section 498A of the Indian Penal Code.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioners that there is



no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The victim is in habit of instituting the case for similar offence against the petitioner and his family member. The case is triable by the Magistrate. The petitioners have 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) each with two sureties of the like amount each to the satisfaction of A.C.J.M., VI, Nawada in connection with Complaint Case No. 1320 of 2015 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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