

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45532 of 2018

Arising Out of PS.Case No. -183 Year- 2017 Thana -HUSAINGANJ District- SIWAN

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Rahmat Ali, S/o Late Rahman Miyan, Resident of Village-Khalilpur, Police
Station- Siwan Muffasil, District-Siwan.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-07-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 323, 498A, 406, 504, 506, 307, 120(B) of the
Indian Penal Code and 34 of Dowry Prohibition Act.

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

It has been submitted on behalf of the petitioner that the
petitioner has got no 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. There is no medical examination report with
regard to the offence under Section-307 of the Indian Penal Code.
Rest of the offences are 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 Sub Divisional Judicial Magistrate, Siwan in connection with Hussainganj P.S. Case No. 183 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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