

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1437 of 2018

Arising Out of PS.Case No. -472 Year- 2016 Thana -COMPLAINT CASE District- SUPAUL

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Md. Gaffar, son of Late Md. Idris, resident of Village- Naya Bazar,
Gamhariya, P.S.- Gamhariya, District- Madhepura.

.... Petitioner

Versus

1. The State of Bihar.
2. Sahjan Khatun, wife of Md. Manjar, daughter of Md. Taiyab, resident of Village- Parsagadhi Dakshin, Tola- Kupari, P.S.- Jadiya, District- Supaul.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Amar Nath Yadav, Advocate.

For the State : Mr. Anil Kumar Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-01-2018 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 397, 504, 506, 498(A) of the IPC and 4 of the D.P. Act but cognizance has been taken under Sections 379, 504, 498(A) of the IPC and 4 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. The petitioner is the father-in-law of the victim. He is separate in mess and property from the husband of the victim. The case is triable by the Magistrate. 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 S.D.J.M., Supaul, in connection with Complaint Case No. 472 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)