

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12408 of 2018

Arising Out of PS. Case No.-128 Year-2016 Thana- AWADPUR District- Katihar

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Md. Rokib @ Lotif, Son of Anisur Rahman @ Boka, Resident of Village-
Gwaltoli, Police Station- Abadpur, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kajla Bibi, Wife of Rakib @ Latif, Daughter of Tauhid Ali, Presently residing at Village- Diyar, Shyampur Bilia, P.S.- Bhuwan Gola, District- Murshidabad (W.B.).

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar, Adv.
For the State	:	Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 07-05-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case registered under Sections 373/511, 498A, 384, 307, 120(B), 363 of the Indian Penal Code and 4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and assault upon the victim due to non-fulfilment of 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 due to



petty family dispute. There is no medical examination report in support of the allegations in respect of offence under Sections 307 I.P.C. Accusation in respect of offence under Section 384 I.P.C. is superficial in nature. 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 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 Chief Judicial Magistrate, Katihar in connection with Abadpur P.S. case No.128 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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