

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31256 of 2018

Arising Out of PS.Case No. -418 Year- 2017 Thana -PATNA COMPLAINT CASE District-
PATNA

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Shamshad Naseem son of Late Md. Naseem resident of Mohalla -
Moghulpura, Post Office - Jhauganj, Patli Gali, Police Station - Patna City,
District - Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Tabassum Parveen Daughter of Late Md. Sagir resident of Mohalla -
Khan Mirza, Post Office - Mahendru, Police Station - Sultanganj, District -
Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Shamimul Hoda

For the Opposite Party/s : Mr. Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-08-2018 Heard learned counsel for the petitioner, O.P. No. 2 and
learned APP for the State.

The petitioner is apprehending his arrest in a case registered
under Section 498A of the Indian Penal Code and 4 of Dowry
Prohibition Act.

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

By order dated, 06-06-2018, the matter was referred to the
Mediation Centre. As per report of the Mediator, the mediation
has failed.

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. The case is 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 and O.P. No. 2, 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 Additional Chief Judicial Magistrate, Patna City, Patna in connection with Complaint Case No. 418 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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