

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51266 of 2017

Arising Out of PS.Case No. -118 Year- 2009 Thana -SONBERSA District- SITAMARHI

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1. Ibadat Hussain, Son of Late Sayad Mohammad Khalil, resident of Village- Mahuloya, P.S. Sonbarsa District- Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar.
2. Zeba Saheen Wife of Imaran Khan resident of Village- Mahsaul Eas Ward No 7 P.S. and District Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 16-01-2018 Heard learned counsel for the petitioner and learned counsel appearing for the State.

None appeared on behalf of the O.P. No.2.

The petitioner is apprehending his arrest in a case instituted under Section 498A/34 of the Indian Penal Code.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the 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. The case



is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Sonbarsa P.S. Case No.118 of 2009, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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