

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9403 of 2018

Arising Out of PS. Case No.-383 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Md. Noor Alam @ Md. Alam, Son of Md. Muslim, Resident of Village-
Bargaon, P.S.-Fatehpur, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nusrat Praveen Wife of Md. Noor Alam @ Md. Alam and Daughter of Md. Shamim, Resident of -Dujara Pahalwan Ghat, Khajagali, P.S.-Bidhha Colony, District-Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha
For the Opposite Party/s : Mr. TARUN PRASAD MANDAL

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2018 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 498A, 406, 420, 323, 379, 506/34 of the I.P.C. and $\frac{3}{4}$ of Dowry Prohibition Act, but cognizance has been taken under Section 498A of the I.P.C. and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture 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. 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 learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case.

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 S.D.J.M., Patna in connection with Complaint case No.383C of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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