

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56403 of 2018

Arising Out of PS. Case No.-1822 Year-2017 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Md. Nasim @ Nasim S/o late Agimuddin
2. Noor Jahan @ Noor Jahan Khatoon w/o Md. Nasim @ Nasim, both are
resident of village Gagipur (Ghazipur), P.S. Bathnaha, District Sitamarhi

... .. Petitioner/s

Versus

1. State Of Bihar
2. Nargis Khatoon w/o Md. Afjal at present residing at village Gopalpur
(Muraul), P.S. Bajpatti, District Sitamarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar
For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending his arrest in a case
registered under Sections 498A/34 of the Indian Penal Code.

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

It has been submitted on behalf of the petitioners that the
petitioners have got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioners. The petitioners have falsely been implicated in the
present case. The case is triable by the Magistrate. The
petitioners have 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 petitioners
are named in the complaint case.

Considering the aforesaid facts and circumstances, let
the petitioners, 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., Sadar,
Sitamarhi in connection with Complaint case No. C1/1822 of
2017, 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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