

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.23851 of 2018**

Arising Out of PS. Case No.-498 Year-2016 Thana- NALANDA COMPLAINT CASE  
District- Nalanda

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Zafar Iqbal son of Late Mustafa resident of village - Bhui, Police Station -  
Silao, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rasda Rahman wife of Zafar Iqbal resident of village - Bhui, Police Station -  
Silao, District - Nalanda, daughter of Md. Hafiz Zamilur Rahman, resident of  
Mohalla - Konasarai, Police Station - Laheri, District Nalanda.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh  
For the Opposite Party/s : Mr. Surendra Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      23-04-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case  
registered under Sections 498A, 307, 504, 506, 406/34 of the  
Indian Penal Code and  $\frac{3}{4}$  of Dowry Prohibition Act in which  
cognizance has been taken under section 498A IPC and Sections  
 $\frac{3}{4}$  of the D.P. 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  
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, 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 S.D.J.M., Nalanda at Bihar Sharif in connection with Complaint Case No. 498-C/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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