

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24539 of 2018

Arising Out of PS. Case No.-45 Year-2017 Thana- MAHILA P.S. District- Sitamarhi

Md. Ashif Equbal @ Pattu S/o Md. Raisul Azam @ Md. Raisul Azam Raies,
R/o Vill.- Kolso, P.S.- Zariyani, District- Sheohar at present R/o Vill.-
Azadnagar, Dhaka, P.S.- Dhaka, District- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Aditya Narayan Singh 1

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 341, 323, 307, 379, 498A, 504, 506 of the Indian Penal Code.

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 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. There is no medical examination report in



support of the allegations made for an offence under Section 307 I.P.C. Rest of the offences are triable by the Magistrate. Prior to institution of the present case, the petitioner had filed a matrimonial case. 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 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 Sri Vikram Kumar, learned Sub Divisional Judicial Magistrate, Sadar, Sitamarhi in connection with Sitamarhi Mahila P.S. case No.45 of 2017, G.R. No.2952 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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