

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6558 of 2018

Arising Out of PS. Case No.-197 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Tipu Sultan S/o Md. Manzoor @ Riththu , R/o Mohalla- Malikana, P.S.-
Masaurhi, District- Patna. Petitioner/s

Versus

1. The State of Bihar.
 2. Noori Parween W/o Tipu Sultan , Mohalla- Malikana, P.O.- Masaurhi, P.S.-
Masaurhi, District- Patna. Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar
For the Opposite Party/s : Mr. MADAN KUMAR

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-03-2018 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, 494 and 354 of the Indian Penal
Code and 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
there is no allegation of tampering of witnesses alleged against
the petitioner. On the earlier occasion also, the victim had
instituted a case for the offence under Section 376 IPC along
with other allied sections of the IPC. In the said case, the
petitioner was granted bail vide order dated 12.04.2017 passed



in Cr. Misc. No. 9368 of 2017. Thereafter, the present complaint was filed vide Annexure-1 on 24.05.2017 for offence under Section 498A and other allied sections of the Indian Penal Code. 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 Sri Ranjay Kumar, Judicial Magistrate, 1st Class, Masaurhi, Patna in connection with Complaint Case No. 197(C)/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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