

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19837 of 2018

Arising Out of PS.Case No. -21 Year- 2017 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Md. Nasir @ Gajwa, Son of Md. Mojim @ Mojibur Rahman, Resident of
Village - Raghunathpur, P.S. Barsoi, District Katihar.

.... Petitioner

Versus

1. The State of Bihar.
2. Husna Ara Khatoon, wife of Md. Nasir alias Gajwa & D/o Late Md. Mustafa presently resides at village - Shishiya, P.S. Azamnagar, District - Katihar.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Md. Qumrul Hoda, Advocate.
For the State : Mr. Braj Kishore Prasad, A.P.P.
For the O.P. No. 2 : M/S. Abdul Wadood and Braj Kishore Singh,
Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-04-2018 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the opposite party no.

2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A) of the IPC and 4 of
D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the 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 further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned C.J.M. Katihar, in connection with Complaint Case No. 21/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)