IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43179 of 2018

Arising Out of PS. Case No.-824 Year-2017 Thana- COMPLAINT CASE District- Araria

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Md. Habibur Rahman, Son of Md. Saidul, Resident of Village- Dumra Basti, Ward No.10, Ghaghri, P.S.- Bousi, Dist- Araria.

... ... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Rubina Khatoon, Wife of Md. Habibur Rahman, Daughter of Md. Alauddin, Resident of Village- Sandalpur, P.O.- Ahilgoan, P.S.- Araria, District- Araria.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ramesh Kumar Singh
For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 18-07-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code and ¾ 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 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

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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., Araria in connection with Complaint Case No. 824C/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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