

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50585 of 2018

Arising Out of PS. Case No.-333 Year-2018 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Md. Shahabuddin son of Murshid Alam @ Md. Murshid Ali, resident of village Tinpania, Police Station Korha, District Katihar

... .. Petitioner/s

Versus

1. State Of Bihar
2. Bibi Jubeda @ Minara daughter of Md. Jakir, wife of Md. Shahabuddin, resident of village Jabun Tola Bharsiya, Police Station Falka, District Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratnakar Ambastha
For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2018 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, 406/34 of the Indian Penal Code and $\frac{3}{4}$ 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 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. 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.

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 Chief Judicial Magistrate, Katihar in connection with C.A. case No.333 of 2018, 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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