

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59468 of 2018

Arising Out of PS.Case No. -647 Year- 2009 Thana -COMPLAINT CASE District- SUPAUL

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1. Md. Asif @ Md. Ale, Son of Nurul Islam, Resident of Village- Saurajan Machhaha, Post Office- Fulkahi, Police Station- Raghapur, District- Supaul, at present residing at H.No. 229, G Block, Gate No. 12, House No. 27 and 29, Sangam Bihar Police station- Saengam Bihar, District- New Delhi- 110062.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Mariyam, Wife of Md. Ale @ Md. Asif, Daughter of Md. Sagir Marhum, Resident of Village- Saurajan, Machhaha, Post Office- Fulkahi, Police Station- Raghapur, District- Supaul, at present Residing at Mohalla- Surtipatti, Police Station and District -Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-09-2018 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.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment 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. 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 Sub Divisional Judicial Magistrate, Supaul in connection with Complaint Case No. 647C of 2009, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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