

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29872 of 2018

Arising Out of PS. Case No.-2363 Year-2016 Thana- COMPLAINT CASE District- Araria

Abu Sajar @ Abu Sajbar, S/o Late Md. Taha, Resident of Village- Satbita,
Ward No. 6, P.S.- Jokihat, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Asro Jahan, W/o Abu Sajar @ Abu Sajbar, D/o Late Suleman, Resident of
Village- Hariabara, Ward No. 11, P.S. Araria (R.S.), District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Md. Naushad Uzzoha, Advocate
For the State	:	Mr. Tapeswar Sharma, APP
For opposite party No.2	:	Mr. Anil Prasad Singh, Advocate
		Mr. Vijay Kishore Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-06-2018 A supplementary affidavit has been filed on behalf of
the petitioner. Same be kept on the record.

In the light of the statement made in the
supplementary affidavit, counsel for the petitioner is permitted
to make necessary correction in paragraph 3 of the main
application in course of the day.

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 Section 498A of the Indian Penal Code.

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. 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 and learned counsel for the opposite party No.2, 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 Sub Divisional Judicial Magistrate, Araria in connection with Complaint case No.2363C of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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