

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13592 of 2018

Arising Out of PS. Case No.-2566 Year-2015 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Mustaq Khan son of Qyamuddin Khan, resident of village Gadiyani Bairiya,
P.s. Bairiya, District West Champaran

... .. Petitioner/s

Versus

1. State Of Bihar
2. Asmina Khatoon wife of Mustaq Khan and daughter of Sheikh Akhtar, R/o
Gadiyani Bairiya, P.S. Sukhlahi, District West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. SANJAY KUMAR SHARMA

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-03-2018 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 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 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.

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, Bettiah, West Champaran in connection with S.C. No.1196 of 2017 arising out of Complaint case No.2566C of 2015, 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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