

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10232 of 2018

Arising Out of PS. Case No.-73 Year-2016 Thana- MAHILA P.S. District- Madhubani

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Md. Shamim Akhtar @ Md. Shamim Aktar, Son of Md. Nasim Manjur,
Resident of Village- Sikariya, Police Station- Madhepur, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rijwana Khatoon, daughter of Md. Mansur Alam, Resident of Village-
Sikariya, Police Station- Madhepur, District- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Jha
For the Opposite Party/s	:	Mr. ASHOK KUMAR
For the O.P. No. 2	:	Mr. Ratnakar Jha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-02-2018 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 Sections 341, 323, 379, 498A and 34 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
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. Petitioner is alleged to be husband but he denies the marriage with the victim. 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 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., Madhubani in connection with Mahila (Madhubani) P.S. Case No. 73 of 2016 (G.R. No. 1626 of 2016), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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