

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8280 of 2018

Arising Out of PS. Case No.-327 Year-2016 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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1. Naiyar Ekbal @ Ekbal Naiyar son of late Md. Umar Alam @ Md. Umar
2. Md. Saddam @ Sanjar Alam son of late Md. Umar Alam @ Md. Umar
3. Obira Khatoon @ Bibi Obaia Khatoon wife of late Md. Umar Alam @ Md. Umar, all are resident of village Samastipur, P.S. Bakhtiarpur, District Saharsa

... .. Petitioner/s

Versus

1. State Of Bihar
2. Tabassum Praveen daughter of late Abdul Sattar, wife of Naiyar Ekbal, resident of Samastipur, P.S. Bakhtiarpur, District Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Obaidur Rahman
For the Opposite Party/s : Mr. NITYANAND TIWARY

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 379, 406 of the Indian Penal Code and 4 of Dowry Prohibition Act.

Allegation against the petitioners 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 petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The case is triable by



the Magistrate. The petitioners have 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 petitioners are named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Saharsa in connection with Complaint case No.327C of 2016, 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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