

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28483 of 2018

Arising Out of PS. Case No.-102 Year-2015 Thana- MAHILA PS District- East Champaran

Ainullah Mian son of Bhikhari Mian, resident of village Parsa Tola Dumariya,
P.s. Majhauriya, District West Champaran

... .. Petitioner/s

Versus

1. State Of Bihar
2. Tarina Khatoon daughter of Kalam Mian, resident of village Mishragram
South Bariyariya,, P.S. Sangrampur, District East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 341, 323, 379, 504/34 of the Indian Penal Code and $\frac{3}{4}$ 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 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 14th Additional
Chief Judicial Magistrate, Motihari, East Champaran in
connection with Mahila P.S. case No.102 of 2015, G.R. case
No.6507 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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