

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38801 of 2018

Arising Out of PS.Case No. -830 Year- 2017 Thana -COMPLAINT CASE District- ARRARIA

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1. Moizzam @ Md. Moizzam son of Mohsin, resident of Village-
Nowanankar, P.S. Jokihat, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Shabana Khatoon, wife of Moizzam @ Md. Moizzam, Daughter of
Md. Taslim, resident of Village- Nauwa, P.O. Bara, P.S. Jokihat, District-
Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioner, O.P. No. 2 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 ¾ of Dowry
Prohibition Act.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfillment 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 and O.P. No. 2 , it is submitted that the petitioner is named in the Complaint Case/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 Sub Divisional Judicial Magistrate, Araria in connection with Complaint Case No. 830C of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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