

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54766 of 2018

Arising Out of PS.Case No. -544 Year- 2014 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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1. Md. Shamshad Alam @ Md. Shamshad @ Dabloo Son of Md. Idrish Alam @ Md. Idrish
2. Rizwana Khatoon Wife of Md. Idrish Alam @ Md. Idrish
3. Md. Idrish Alam @ Md. Idrish Son of Late Shekh Bhola All residents of Village- Phulpur, P.S. Puraini, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Saharenaz Khatoon Wife of Md. Shamshad @ Dabloo, Daughter of Lal Mohammad, resident of Village- Dighaun, P.S. Beldaur, District Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 323, 498A, 120(B) of the Indian Penal Code and ¾ of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioners 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/F.I.R.

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 Sub Divisional Judicial Magistrate, Khagaria in connection with Complaint Case No. 544C of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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