

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58167 of 2018

Arising Out of PS.Case No. -31 Year- 2018 Thana -MAHILA PS District- DARBHANGA

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Md. Shamshad S/o Md Mansoor, resident of Village- Raipur, P.S.-
Warisnagar, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 323, 504, 498A/34 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, 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, Darbhanga in connection with Mahila P.S. Case No.
31 of 2018, 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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