

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3908 of 2019

Arising Out of PS. Case No.-437 Year-2017 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Firoz @ Md. Phiroj Miyan @ Md. Phiroj, aged about 22 years, Gender-Male,
Son of Md. Wasi Miyan, Resident of Village- Jagatpur, P.S.- Barhara, District-
Bhojpur.

... .. Petitioner

Versus

1. The State of Bihar.
2. Noor Jahan Khatoon, daughter of Md. Nasiruddin Miyan, Resident of village,
P.O. and P.S.- Sandesh, District- Bhojpur.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr.Md. Ataul Haque, Advocate.
For the State	:	Mr.Pawan Kumar Chaurasia, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A) of the IPC and 3/4
of the D. P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. The petitioner has falsely been implicated



in the present case due to petty family dispute. The petitioner is husband of the victim. The case is triable by the Magistrate. The petitioner has further 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned S.D.J.M. Bhojpur at Arrah, in connection with Complaint Case No. 437(C) of 2017, Tr. No. 4162 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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