

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10235 of 2019

Arising Out of PS. Case No.-1803 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Md. Razi Ahmad @ Md. Raji Ahmad, aged about 49 Years, Male, Son of Late Md. Mahfuz Hasan, Resident of Village - Ustu, P.S-Lodipur, Dist.-Bhagalpur. At present residing at Simaria, P.S- Kajraili, Distt – Bhagalpur.

... .. Petitioner

Versus

1. The State Of Bihar.
2. Bibi Roji Quamar, D/o Md. Noor Ali, Resident of Village – Chandarpur, P.S. Sajaur, District-Bhagalpur.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr.Md. Nurul Hoda, Advocate.
For the State	:	Mr.Anil Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-02-2019 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the opposite party no. 2.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 323, 341, 498(A)/34 of the IPC and 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 the 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. Bhagalpur, in connection with Complaint Case No. 1803 (C) of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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