

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1165 of 2020

Arising Out of PS. Case No.-171 Year-2019 Thana- PANAPUR District- Saran

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AZAD AHMAD KHAN @ AZAD KHAN, Son of Asaphak Ahmad Khan,
Resident of Village -Satjora, P.S.-Panapur, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.

Mr. Tej Pratap Singh, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

21 25-02-2020 Heard learned Sr. Counsel for the petitioner and
learned APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 279, 337, 338, 498A, 504, 506 and 34 of the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan of Nazda Praveen, recorded by S.I. Amit Kumar, PMCH, T.O.P. on 29.05.2019 at 1.30 P.M at Emergency Ward of P.M.C.H. is to the effect that the complainant was married with co-accused, Sajjad Khan on 15.05.2012, but subsequent to the marriage, further dowry demand of a car and cash amount of Rupees One Lac was made and due to non-fulfillment of the same, torture was inflicted upon the informant by the in-laws family



members. It is alleged that on 28.08.2019 at 9.00 P.M., the informant's husband along with his two brothers started assaulting the informant indiscriminately for non-fulfillment of further dowry demand and thereafter, the petitioner pushed the informant on the ground while other brother, co-accused, Faiyaz caught hold of the leg of the informant whereas informant's husband drove the tractor over the informant.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against the husband of the informant and his other brother, Faiyaz. The petitioner has been roped in the present case only because he is the brother of the informant's husband. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner is named in the FIR with specific accusation.

Considering the thrust of accusation against the husband of the informant and his other brother, Faiyaz, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a



period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-1, Saran, in connection with Panapur P.S. Case No.171 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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