

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14026 of 2020

Arising Out of PS. Case No.-145 Year-2019 Thana- MAHILA P.S. District- Araria

SHAMIM ALAM @ SALIM ALAM S/o Iliyas Resident of Village- Denga,
P.S.- Palasi, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rahina Khatoon W/o Shamim Alam Resident of Village- Denga, P.S.- Palasi, District- Araria. At present D/o Zainl, Village Bara Istambarar, P.S.- Jokihat, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh
For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-07-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 498A, 494, 341, 323, 504, 379,
506/34/34 of the Indian Penal Code.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfilment 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 of the case and also the lockdown, 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 his personal bond to the satisfaction of S.D.J.M., Araria in connection with Mahila P.S. case No.145 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven



weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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