

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54218 of 2019

Arising Out of PS. Case No.-96 Year-2019 Thana- EKANGARSARAI District- Nalanda

SHAMSHER ALAM Son of Late Nizamuddin Resident at Mohalla Quarter
No. 15 Station Colony Bakhityarpur, P.S.- Bakhtiyarpur, Distt. Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Roksana Praveen Daughter of Abul Rahim R/o Village Patalgali
Ekangarsarai, P.S. Ekangarsarai, Distt. Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

8 12-06-2020 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, learned APP
for the State and learned counsel for the opposite party No.2.

The petitioner was granted anticipatory provisional
bail vide order dated 28.08.2019.

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 and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the provisional anticipatory bail granted to the petitioner vide order dated 28.08.2019 is, hereby, confirmed in connection with Ekangarsarai P.S. case No.96 of 2019 pending in the court of A.C.J.M., Hilsa (Nalanda).

(Sudhir Singh, J)

Narendra/-

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