

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.872 of 2020

Arising Out of PS. Case No.-107 Year-2019 Thana- COMPLAINT CASE District-
Kishanganj

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MD. ARIF Son of Late Md. Hafizuddin Assistant Headmaster (T.I.C), Ilahi Bux High School Panjipara, Post - Panjipara, P.S.- Goalpokhar, Distt - Uttar Dinajpur (W.B.), Presently Resisent of Paschimpali Chauk near V Mart, Police Station, Kishanganj, Distt - Kishunganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Noor Nehar Bano Wife of Md. Arif Assistant Headmaster (T.I.C), Ilahi Bux High School Panjipara, Post - Panjipara, P.S.- Goalpokhar, Distt - Uttar Dinajpur (W.B.), Presently Resisent of Paschimpali Chauk near V Mart, Police Station, Kishanganj, Distt - Kishunganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar
For the Opposite Party/s : Mr.Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-06-2020 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 O.P. No. 2.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment 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 the O.P. No. 2, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, 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 his personal bond to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Complaint Case No. C 107 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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)

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