

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21572 of 2021**

Arising Out of PS. Case No.-92 Year-2020 Thana- ABADPUR District- Katihar

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MUSIUR RAHMAN Son of Abdul Halim Resident of Village - Sirajmani,
P.S.- Abadpur, Distt.- Katihar.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Safeda Khatoon W/o Abdul Rahim Resident of Village - Sirajmani, P.S.-
Abadpur, Distt.- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sah @ Baranwal, Advocate
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks from the date of restoration of normalcy.

The petitioner is apprehending his arrest in a case
registered under Sections 323, 341, 324, 498A, 504/34 of the
Indian Penal Code and ³/₄ of Dowry Prohibition Act.

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. The case is triable by the Magistrate. The petitioner is the Bhaibur of the victim. 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 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 twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned S.D.J.M., Katihar in connection with Abadpur P.S. case No.92 of 2020, 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 eight

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

(Sudhir Singh, J)

Narendra/-

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