

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34228 of 2020

Arising Out of PS. Case No.-266 Year-2019 Thana- DIGHWARA District- Saran

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Shamshad Ali @ Shamshad Alam Son of Md Ali Resident of Village Saidpur,
P.S. - Dighwara, District - Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saroj Kumar Sharma

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 08-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 306, 313, 354, 384, 379, 307
& 498 of the Indian Penal Code and ¾ of Dowry Prohibition
Act.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfillment of demand of dowry.
Two months' pregnancy is also alleged to have been aborted and



having snatched valuable and belongings, the complainant was ousted from her matrimonial home.

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 been falsely implicated in the present case. Section 306 of the Indian Penal Code is not applicable in the present case. So far Section 313 of the Indian Penal Code is concerned, there is no medical examination report in support of the allegation. So far as Section 307 of the Indian Penal Code is concerned, the nature of injury is said to be simple. Hence, no offence u/S 307 of the Indian Penal Code is made out. The petitioner is husband of the complainant. He has been made accused due to petty dispute.

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, 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 furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Saran in connection with Dighwara P.S. Case No.
266 of 2019 subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

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