

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19625 of 2023

Arising Out of PS. Case No.-459 Year-2020 Thana- RANIGANJ District- Araria

MD. REHAN SON OF MD. ABDUL HASSAN RESIDENT OF VILLAGE -
DUMARIYA, WARD NO. 08, P.S. - RANIGANJ, DISTT. - ARARIA

... .. Petitioner/s

Versus

1. The State of Bihar
2. ARSHADI D/O LATE TAHIR HUSSAIN RESIDENT OF VILLAGE -
DUMARIYA, WARD NO. 08, P.S. - RANIGANJ, DISTT. - ARARIA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate

For the Opposite Party/s : Mr. Ajit Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-09-2023 Despite valid service of notice nobody appears on
behalf of the Opposite Party No. 2.

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

3 . Petitioner apprehends arrest in a case registered
for the offence punishable under sections 341 , 323 , 498-A ,
494, 504, 506, 34 the Indian Penal Code .

4. As per the prosecution case, petitioner along with
other family members committed torture to the informant
(victim) due to non-fulfilment of demand of dowry.

5 . It is submitted that Informant herself assaulted the
petitioner side for which a complaint case was filed against



informant side vide Complaint Case No. 992C of 2020 dated 22.08.2020. Only with a view to harass and take revenge from the petitioner who is husband of Opposite Party No. 2, this false and concocted case has been lodged. The case is triable by the Magistrate. The petitioner has further 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. Petitioner has got clean antecedent.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let this petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Addl. Chief Judicial Magistrate V I, Araria in connection with Raniganj Police Station Case No. 459 of 2020, subject to the conditions laid down under section 438 of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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