

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48913 of 2023

Arising Out of PS. Case No.-728 Year-2020 Thana- PURNIA COMPLAINT CASE District-
Purnia

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AKBAR ALAM S/O Md. Rafique R/O Maheshkhut, P.S- Dagarua, Distt.-
Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sajjan Khatoon W/O Akbar Alam, D/O Md. Shamsheer R/O Lakhanjhari, P.S-
Sadar, Distt.- Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Fazle Karim , Advocate

For the Opposite Party/s : Mr. Meena Singh, Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-09-2023 Despite valid service of notice nobody appears on
behalf of O . P . 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 379, 498A, and 406
of the Indian Penal Code and sections 3 & 4 of the Dowry
Prohibition Act.

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 . Learned counsel for the petitioner while denying



the allegations, submits that the petitioner has falsely been implicated in this case because he is husband of the victim. However, he is ready to keep the victim with honour and dignity. 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 Court S. D. J . M, Purnea in connection with Complaint Case No. 728 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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