

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6229 of 2017

Arising Out of PS. Case No.-350 Year-2016 Thana- DHAKA District- East Champaran

Naushad Alam, Son of Jamil Akhtar, Resident of Village- Gadahiya P.O. and P.S. Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rehana Khatoon w/o Naushad Alam, resident of village Garahia, P.O.+P.S. Pachpakari (O.P.) District East Champaran, at present D/o Md. Amanullah, resident of village Khairwa, P.O. + P.S. Dhaka, District East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pravin Kumar, Advocate
For the State	:	Mr. UDAY CHAND PRASAD, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 22-09-2017 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party No.2.

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

The matter was referred to the Patna High Court, Mediation Centre vide order dated 4.7.2017. As per the report of the Mediator, the mediation has failed. The report submitted by the Mediator is as follows :

“Learned counsel for petitioner as well as petitioner is present. Petitioner is ready to keep her full dignity. In spite of notice, opposite party No.2 has not appeared before



this Mediation Centre,due to non-cooperation
of opposite party No.2, mediation failed.”

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 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 learned counsel for the opposite
party No.2, it is submitted that the petitioner is named in the
F.I.R.

Considering the aforesaid facts and circumstances, let the
petitioner, above named, in the event of arrest/surrender before
the learned court below within a period of six weeks from today,
be released on anticipatory bail on furnishing bail bonds of
Rs.10,000/- (Ten thousand) with two sureties of the like amount
each to the satisfaction of learned S.D.J.M., Sikrahna at Dhaka,
East Champaran in connection with Dhaka (Panchpakari) P.S.



case No.350 of 2016, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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