

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17649 of 2017

Arising Out of PS.Case No. -271 Year- 2016 Thana -KATEYA District- GOPALGANJ

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1. Jallaluddin Ansari Son of Said Ansari Resident of Village- Bheriya, Police Station- Kateya, District Gopalganj. At Present resident of Village- Ojhwalija, Police Station- Kateya, District- Gopalganj.

.... Petitioner

Versus

1. The State of Bihar.

2. Jaida Khatoon Wife of Jalaluddin Ansari, daughter of Zakir Ansari Resident of Village- Bheriya, Police Station- Kateya, District Gopalganj. At Present resident of Village- Ojhwalija, Police Station- Kateya, District- Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 12-10-2017 Heard learned counsel for the petitioner, learned counsel for the Opposite Party No.2 and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest for the offence instituted under Section 498A, 406, 379, 316 of the Indian Penal Code and 3/4 of D.P. Act.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the demand of dowry.

Vide order dated 04.08.2017, the matter was referred to the Mediation and Reconciliation Centre, Patna High Court, Patna but as per report of the Mediator, the mediation failed.



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 present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State and counsel for the Opposite Party No.2, it has been submitted that the petitioner is named in the Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Kateya P.S. Case No.271 of 2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Gopalganj, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If the Opposite Party No.2 files a petition in the court below for referring the matter to the Mediation Centre, the court



below shall take necessary step for referring the matter to Mediation Centre for one time settlement. The petitioner shall co-operate in the mediation proceedings. The court below will be at liberty to pass an order in light of the report submitted by the Mediator.

(Sudhir Singh, J)

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