

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.15442 of 2017**

Arising Out of PS.Case No. -682 Year- 2016 Thana -PURNIA COMPLAINT CASE District-  
PURNIA

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Md. Arif Alam @ Tausif Alam, Son of Naimuddin, Resident of village -  
Belbari, Police Station - Kasba, District - Purnea

.... .... Petitioner

Versus

1. The State of Bihar.
2. Shama Praveen, Daughter of Md. Moinuddin, Resident of village -  
Murad Bag, Police Station - Kasba, District – Purnea.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Viveka Nandsingh, Advocate.  
For the State : Mr. Anil Kumar, A.P.P.  
For the O.P. No. 2 : Mr. Vinod Shankar Modi and Mr. Manoj Kumar  
Singh, Advocates.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      21-09-2017                      Heard learned counsel for the petitioner, learned  
A.P.P. for the State and learned counsel for the opposite party no.  
2.

The petitioner is apprehending his arrest in a case for  
the offence registered under Section 498(A) of the IPC.

The prosecution story, in brief, is that the accused  
persons including the petitioner tortured the victim due to non-  
fulfillment of demand of dowry.

The matter was referred to the Mediation Centre of



Patna High Court Legal Services Committee, Patna, vide order dated 29.06.2017. As per the report of the Mediator, mediation between the parties has failed.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the 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 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.

On behalf of the learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let 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 bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Purnea, in connection with Complaint Case No. 682/2016, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

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**(Sudhir Singh, J)**

