

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30900 of 2018

Arising Out of PS. Case No.-2000 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Sajjad Khan @ Sahjad Khan S/o Atiullah Khan, R/o Vill.- Dainmarwa, P.S.-
Ramnagar, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Yasmin Pravin D/o Abdul Manan Khan W/o Shahzad Khan, R/o Vill.-
Dainmarwa, P.S.- Ramnagar, Present R/o Vill.- Majhauria, P.S.- Majhauria,
District- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Amarendra Nath Verma
For the Opposite Party/s	:	Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 24-07-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No. 2. A
supplementary affidavit has been filed on behalf of the
petitioner which is kept on record.

In the light of statements made in the supplementary
affidavit, the petitioner is permitted to make necessary
correction in paragraph 3 of the main application in course of
the day.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code and 4 of
Dowry Prohibition Act.

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 there is no allegation of tampering of witnesses alleged against the petitioner. The victim and her family members are in the habit of instituting cases for similar offence against the petitioner and his family members. 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, it is submitted that the petitioner is named in the Complaint Case/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., Bettiah, West Champaran in connection with Complaint Case No. 2000 C of 2017 (S.C. No. 1269 of 2018), subject to the conditions as



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

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Sudhir Singh, J)

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