

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53659 of 2018

Arising Out of PS. Case No.-478 Year-2016 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

=====

Md. Aslam Son of Md. Abbas, resident of Village- Baradhant, P.S.- Phulparas,
District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shabnam Khatoon, Wife of Aslam resident of Village- Baradhant, P.S.-
Phulparas, District- Madhubani.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Bimal Kumar, Advocate
For the State	:	Mr. Lakshmi Kant Sharma, APP
For opposite party No.2	:	Mr. Gagandeo Yadav, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-10-2018 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 Sections 323, 498A of the Indian Penal Code and $\frac{3}{4}$ 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 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 complaint case.

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. Jhanjharpur, District Madhubani in connection with C.R. case No.478 of 2016 (T.R. No.3713 of 2017), 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)

Narendra/-

U		T	
---	--	---	--

