

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55522 of 2018

Arising Out of PS. Case No.-114 Year-2016 Thana- HATHAURI District- Muzaffarpur

Md. Aftab @ Aftab Alam S/o Md. Junaid, R/o Vill.- Awapur, P.S.- Pupri,
District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Azamat Khatoon W/o Md. Aftab @ Aftab Alam, R/o Vill.- Awapur, P.S.- Pupri, District- Sitamarhi, presently at Vill.- Bhadai, P.S.- Hathauri, District- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ashhar Mustafa, Adv.
For the State	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-11-2018 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 498A/34 of the Indian Penal Code and 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/F.I.R.

Considering the aforesaid facts and circumstances, the provisional anticipatory bail granted to the petitioner by order dated 20.09.2018 is, hereby, confirmed in connection with Hathauri P.S. case No.114 of 2016 pending in the court of Sub Judge-cum-A.C.J.M. 10th, Muzaffarpur.

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/-

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