

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53988 of 2018

Arising Out of PS. Case No.-147 Year-2016 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Md. Sarif @ Md. Sharif, Son of Late Sheikh Suleman, Resident of Village-
Purshottampur, P.S.- Chhauradano, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sugun Nesha, Daughter of Late Sheikh Basir, Resident of Village- Pachrukha
Tola Sundarpur, P.S.- Banjariya, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-10-2018 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 498A, 323, 325 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, 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., Raxaul, East Champaran at Motihari in connection with Trial No. 2104/2018 arising out of Complaint Case No. 147/2016, 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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