

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65202 of 2018

Arising Out of PS. Case No.-636 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Md. Manjoor Khan Son of Fakir Ahmad Khan Resident of Village-Amolawa
Bazar P.S. Gaunaha Distt.-West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bebi Khatoon wife of Md. Manjoor Khan D/o Md. Majhar Khan R/o Village Amolawa Bazar P.S. Gaunaha Distt.-West Champaran.At Present R/Vill.- Mastantola Bagaha,P.S. Bagaha,Distt.-West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kr Singh No. 1
For the Opposite Party/s	:	Mr. Sri Nityanand Tiwary
For the O.P. No. 2	:	Mr. Anand Kishore Chaudhary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-10-2018 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 Section 498A/34 of the Indian Penal Code and ¾ 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 petitioner has falsely been implicated in the present case due to petty family dispute. On the earlier occasion also, the victim and her family members have instituted case for similar offence against the petitioner and his family members. 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., Bagaha, West Champaran in connection with Tr. No. 3788/2018 arising out of Complaint Case No. 636/2017, 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)

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