

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3929 of 2019

Arising Out of PS. Case No.-623 Year-2017 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Md. Seraj Alam, Son of Late Abdul Subhan Quadiri @ Subhan Ali, Resident of Mohalla- Sibli Bari Ansar, P.S.- Kumar Dubhi, District- Dhanbad (Jharkhand), at present Bapa Nagar, 16/901 Hardhyan Singh Road, Gali No.5, Karol Bag, P.S. Karol Bag, New Delhi.

... .. Petitioner

Versus

1. The State of Bihar.
2. Parwana Naz, W/O Seraj Alam and D/O Safdar Ali, Resident of Mohalla- Sibli Bari Ansar, P.S.- Kumar Dubhi, District- Dhanbad (Jharkhand) at present residing in Mohalla- Sheikh Alam Chawk, P.O. and P.S.- Jehanabad, District- Jehanabad (Bihar).

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr.Sunil Srivastava, Advocate.
For the State	:	Mr. Md. Ataur Rahman, A.P.P.
For O.P. No. 2	:	M/S. Kumar Rajeev, Binay Kumar Singh and S. Jabee, Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioner, learned A.P.P.

for the State and learned counsel for the opposite party no. 2.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 341, 323, 379, 498(A), 504 of the IPC and ¾ of the D. P. Act in which cognizance has also been taken only against the petitioner.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is the husband of the victim. The case is triable by the Magistrate. The petitioner has further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned C.J.M., Jehanabad, in connection with Complaint Case No. 623 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)

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