

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10237 of 2019

Arising Out of PS. Case No.-440 Year-2018 Thana- RAMPUR District- Gaya

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Md. Omer Abdullah Khan, aged about 30 Years, Male, Son of Md. Badiuzzaman Khan, Resident of Rabbani Monument, Khelafat Bagh, Mehsoul Chowk, P.S.- Sitamarhi, District- Sitamarhi.

... .. Petitioner

Versus

1. The State of Bihar.
2. Hena Firdaus, Wife of Md. Omer Abdullah Khan, presently residing with her Father Sabir Hassan Khan at Police Line Road, P.S.- Rampur, District- Gaya.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr.Ashhar Mustafa, Advocate.
For the State	:	Mr.Chandra Sen Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-02-2019 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 498(A), 420, 406, 341, 323, 504, 506/34 of the IPC and $\frac{3}{4}$ of the D. P. Act.

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 the informant, 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., Gaya, in connection with Rampur P.S. Case No. 440 of 2018, 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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