

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38967 of 2019

Arising Out of PS. Case No.-757 Year-2017 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Md. Nijar @ Nizamuddin Son of Late Modan C/O Food Corporation of India,
District Office S.C.O.-48, Lado Bali Road, Jalandhar. At Present Resident of
village Thuthi, P.S Chautham, District Khagaria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shamida Khatoon MD. NIJAR @ NIZAMUDDIN Resident of village Marer
South, P.S. Morkahi, District- Khagaria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar
For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-06-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No.2.

The petitioner seeks bail in a case registered under Sections
498A, 323, 379 of the Indian Penal Code.

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 is in custody since 21.03.2019 and 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.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Magistrate, Khagaria in connection with Complaint case No.757C of 2017.

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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