

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56841 of 2018

Arising Out of PS. Case No.-278 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Abdul Malik @ Ab Malik S/o Samshul Haque, R/o vill.- Hardiya, P.S.-
Chhauradano, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Raushan Ara W/o Abdul Malik, D/o Late Sheikh Kalam, At present R/o
Vill.- Shekhawana, P.S.- Ghorasahan, Distt.- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

8 26-06-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the opposite party
no.2.

The petitioner apprehends his arrest in connection with
Trial No.2639 of 2018, arising out of Complaint Case No.C-278 of
2017, registered under Sections 323 and 498(A) of the Indian Penal
Code, pending in the court of the Sub Divisional Judicial Magistrate,
Sikrahana at Dhaka, East Champaran, Motihari.

The accusation is of torturing the opposite party no.2 by
her husband (petitioner) and other in-laws for non-fulfillment of the
dowry demand of cash Rs.2,00,000/- and also removing the opposite
party no.2 from the matrimonial house along with her children by
snatching her personal belongings.



Learned counsel for the petitioner submits that while earlier the matter was referred to the Patna High Court Mediation Centre, Patna, for mediation and settlement of the dispute in between the petitioner and the opposite party no.2, who are husband and wife, where both were convinced to lead their conjugal life happily but, thereafter, the dispute could not be resolved in between them. The petitioner is still ready to keep his wife and children with full honour and dignity but the opposite party no.2 does not want to live with the petitioner and due to misunderstanding lodged this false case.

Having considered the facts and the circumstances of the case, the provisional anticipatory bail granted to the petitioner vide order dated 06.10.2018 passed by a Bench of this Court is, hereby, confirmed.

(Rajendra Kumar Mishra, J)

P.S./-

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