

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73577 of 2018

Arising Out of PS. Case No.-1079 Year-2009 Thana- COMPLAINT CASE District-
Kishanganj

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Md. Atique Son of Gul Mohammad, Resident of Village- Padampur, P.S.-
Garban Danga, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Bibi Rubi Wife of Md. Atique, Daughter of Khasibur Rahman Resident of
Village- Padampur, at present Athgachhi, P.S.- Garban Danga (Dighalbank),
District- Kishanganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Sinha
For the Opposite Party/s : Mr.Sri Rana Randhir Singh

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

ORAL ORDER

7 27-09-2019 Heard the parties.

The petitioner apprehends his arrest in connection with
Complaint Case No.1079C of 2009 registered under Sections 323,
498A and 504 of the Indian Penal Code, pending in the court of the
Chief Judicial Magistrate, Kishanganj.

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 and also removing the opposite party no.2 from her
matrimonial house.

Learned counsel for the opposite party no.2, in presence
of the learned counsel for the petitioner, submit that while on their
joint prayer, 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 respectively, but due to non-appearance of the petitioner, the matter in between them could not be settled there.

Learned counsel for the petitioner submits that due to threatening of the opposite party no.2, the petitioner did not appear before the Patna High Court Mediation Centre, Patna, for mediation and settlement of the dispute with the opposite party no.2.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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