

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55822 of 2019

Arising Out of PS. Case No.-536 Year-2018 Thana- COMPLAINT CASE District-
Kishanganj

MD. ASIF @ ASIF, aged about 22 years, Male, Son of Abdul Majid, Resident
of Village - Chanamana, P.S.- Pothia, District- Kishanganj.

... .. Petitioner

Versus

1. THE STATE OF BIHAR.
2. Sana, aged about 22, Female, Wife of Md. Asif @ Asif, D/O - Imran
Resident of Village - Chanamana, P.S.- Pothia, District- Kishanganj.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Amal Kumar Sinha, Advocate.
For the State	:	Mr.Dinesh Singh, A.P.P.
For the O.P.No. 2	:	None.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Section 498(A) of the IPC.

The prosecution story, in brief, is that the complainant
got married with Asif before two and half years from the date of
lodging of the case. After marriage, the complainant was
tortured mentally and physically by her husband and his family
members for dowry demand of Rs. 1,00,000/-, 5 Katha land and
one Motorcycle. As last, they ousted the complainant from the
house.

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 counsel for the State, 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 S.D.J.M. Kishanganj, in connection with Complaint Case No. 536C/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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