

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71012 of 2019

Arising Out of PS. Case No.-2614 Year-2018 Thana- COMPLAINT CASE District- Araria

MD. NIYAJ ANSARI Son of Md. Idrish Resident of Village - Majrahi, Ward
No. 9, P.S.- Bhargama, Distt - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Bibi Rizwana Khatoon D/o Md. Ekbal Alam, Wife of Md. Niyaj Ansari
Resident of Village - Majrahi, Ward No. 9, P.S.- Bhargama, Distt - Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-11-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.2614F of 2018 dated 6.11.2018 registered for offences punishable under Section 498A of the Indian Penal Code.

As per FIR, petitioner is said to be husband of the complainant and there is allegation of demand and torture.

Submission of the learned counsel for the petitioner is that allegation is false and concocted and he is still ready to keep her with dignity and care.

On the other hand the learned counsel for the OP No.2, who has appeared *suo motu* has submitted that the petitioner has fled away with the sister of the complainant and now he is residing with her that is why it is difficult for her to reside with the petitioner. It appears from the FIR that no such case is made



out .

Heard learned A.P.P. also.

Having heard both sides and considering the nature of the case this application is disposed of with a direction to the petitioner to surrender before the learned court below on 3.12.2019 and on that day O.P.no.2 shall also remain present there and on appearance of both the parties, the petitioner shall be released on provisional bail in connection with Complaint Case No.2614C of 2018 to the satisfaction of the learned court below and the learned court below shall send the matter for mediation before the District Mediation Centre and before the Mediation Centre, both the parties have to appear and co-operate to the Mediator in order to come to any settlement between the parties and once the report is submitted, the learned court below considering the report of the Mediator as well as conduct of both the parties shall pass an order either confirming the bail bond of the petitioner or cancelling the same.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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