

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80224 of 2019

Arising Out of PS. Case No.-170 Year-2019 Thana- COMPLAINT CASE District- Araria

KAMRUL HAQUE @ MITTHU @ MD. KAMRUL, Male, aged about 22 years, Son of Enul Haque, Resident of Village - Bhadona, P.S.- Palasi, District – Araria.

... .. Petitioner

Versus

1. The State Of Bihar.
2. Soni Praveen, Female, aged about 19 years, Wife of Kamrul Haque, D/o Abdus Sattar, Resident of Village - Basgada, P.S.- Araria (Bairgachhi), District - Araria.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Anil Prasad Singh, Advocate.
For the State	:	Mr.Yogendra Kumar Singh, A.P.P.
For the O.P. No. 2	:	Mr. Naushaduzzoha, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-12-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 498(A) of the IPC and 4 of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

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 counsels for the State and opposite party no. 2, 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. Araria, in connection with Complaint Case No. 170C of 2019, 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)

U.K./-

U		T	
---	--	---	--

