

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60866 of 2019**

Arising Out of PS. Case No.-1990 Year-2018 Thana- BHAGALPUR
COMPLAINT CASE District- Bhagalpur

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MD. NISHAR Son of Late Md. Izhar Resident of Sadruddin Chak, P.S.-
Habibpur, District - Bhagalpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Aisha Perween Wife of Md. Nishar Daughter of Late Md. Raju Resident of
Village and P.O.- Imampur; Ward No.- 5, P.S.- Habibpur, District -
Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Singh, Advocate.

For the Opposite Party/s: Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 04-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 323, 498(A) of the Indian Penal Code and
Section 4 of the Dowry Prohibition Act registered in connection
with Complaint Case No. 1990 of 2018.

3. It is submitted that the petitioner has been falsely
implicated and the accusation of demand of dowry and inflicting
cruelty are denied. It is further submitted that the matter was
referred to mediation, however the opposite party no. 2 as well
as her counsel remained absent on three dates of mediation
which thus failed. Statement is made at the Bar that the opposite



party no. 2 has been granted Rs. 3,000/- along with Rs. 1,000/- for each of two minor children by way of interim maintenance under Section 125 Cr. P.C. in terms of order dated 06.12.2019 passed in Maintenance Case No. 139 of 2018. The petitioner claims clean antecedents.

4. Learned counsel for the opposite party no. 2 appears and has been heard.

5. Having regard to the entirety of the facts and circumstances of the case, the provisional anticipatory bail granted to the petitioner by order dated 01.10.2019 pending in the Court of Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Complaint Case No. 1990 of 2018 is hereby confirmed.

(Vikash Jain, J)

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