

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1585 of 2020

Arising Out of PS. Case No.-247 Year-2019 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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MD. IRFAN KHAN Son of Md. Haji Nijamudin Khan Resident of Village -
Bhagalpur Piro, P.S.- Piro, Distt.- Bhojpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nagma Khanam @ Raushi Khanam W/o Md. Irfan Khan, D/o Nasim Khan
Resident of Village - Bhagalpur Piro, P.S.- Piro, Distt.- Bhojpur, at Present
residing at Mohalla- Neelkothi, P.S.- Dehri, Distt.- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sada Nand Roy
For the Opposite Party/s	:	Mr.Ajay Kumar No. 2
For O.P. No. 2	:	Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-09-2021 Heard learned counsel for the petitioner, learned

APP for the State and learned counsel for O.P. No. 2 through

virtual mode.

The petitioner is apprehending his arrest in a case in

which cognizance has been taken under Section 498A of the

Indian Penal Code.

Allegation against the petitioner is of committing

torture upon the victim due to non-fulfillment of demand of

dowry.

It has been submitted on behalf of the petitioner that

the petitioner has got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioner has 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 State and O.P. No. 2, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned S.D.J.M., Dehri, Rohtas in connection with Complaint Case No. 247 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.



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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