

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3187 of 2020

Arising Out of PS. Case No.-333 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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TAUFIK ALAM Son of Kaishar Hussain Resident of Village - Semrahia, P.S.
- Chhauradano, District - East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Saleya Khatoon Wife of Taufik Alam Daughter of Sah Alam, Resident of Village - Semrahia, P.S. - Chhauradano, District - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Binod Kumar Mishra, Advocate
For the State	:	Mr.Prem Kumar Jha, APP
For opposite party No.2	:	Mr.Ramakant Yadav, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-11-2021 It has been submitted on behalf of the petitioner that the matter has been pending since 18.01.2020 i.e. approximately more than one year and ten months. Let this application be disposed of on merit.

Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in connection with Trial No.1872 of 2019 arising out of Complaint case No.C-333 of 2019 registered under Section 498A of the Indian Penal Code.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment 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. 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 learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri Sanjay Kumar VI, Judicial Magistrate, 1st class, Raxaul at Motihari, East Champaran in connection with Trial No.1872 of 2019 arising out of Complaint case No.C-333 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. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

(Sudhir Singh, J)

Narendra/-

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