

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5563 of 2020

Arising Out of PS. Case No.-41 Year-2019 Thana- MAHILA P.S. District- Banka

MD. MANHAJ @ MD. MINAJ @ MENHAJ Son of Md. Hafij Resident of
Village - Sultanpura, Ward no.3, P.S.- Amarpur, Dist.- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Israt Khatoon W/o Md. Manhaj Resident of Village - lamachak, P.S.-
Pranpura, Dist.- Katihar at Present Address D/o Md. Samsad, Resident of
Village - Sultanpur, P.S.- Amarpur, Dist.- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Rajive Ranjan Singh, Advocate
For the State	:	Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 06-09-2021 None appears on behalf of the opposite party No.2.

Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

The petitioner is apprehending his arrest in connection
with Mahila P.S. case No.41 of 2019 registered under Sections
498A, 341, 323, 504, 506 and 34 of the Indian Penal Code and
¾ of Dowry Prohibition Act.

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, 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 his personal bond to the satisfaction of learned S.D.J.M., Banka in connection with Mahila P.S. case No.41 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. 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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