

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17094 of 2021

Arising Out of PS. Case No.-438 Year-2019 Thana- DIGHA District- Patna

Dr Saifur Rahman @ Saif, Son Of Late Motiur Rahman, Resident Of Badi
Jana Via Medhaul, Police Station Khodawandpur O.P. Chhaurahi Dist-
Begusarai

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Zeyaul Hoda

For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-04-2021 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

Learned counsel for the petitioner is directed to remove
the defects, as pointed out by the Office, within a period of four
weeks.

The petitioner is apprehending his arrest in a case registered
under Sections 498(a), 506, 504, 406 and 34 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, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned S.D.J.M., Patna in connection with Digha P.S. Case No. 438/2019, 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)

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