

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20946 of 2020

Arising Out of PS. Case No.-179 Year-2019 Thana- MAHILA P.S. District- Nalanda

SADDAM @ MD. SADAM, Male, aged about 35 years, Son of Late Ajji Shah, Resident of Village-Banauliya, Jakiyar Par, P.S.- Bihar, Distt - Nalanda.

... .. Petitioner

Versus

1. The State of Bihar.
2. Beli Khatoon, Female, aged about 30 years, wife of Saddam @ Md. Sadam, D/o Late Salim, Resident of Village-Banauliya, Jakiyar Par, P.S.- Bihar, Distt - Nalanda.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Raj Kishor Prasad, Advocate.
For the State	:	Mr. Surendra Kumar,A.P.P.
For the O. P. No. 2	:	Mr. Alam Haider, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 22-02-2021 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the opposite party no. 2.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 498(A), 341, 323, 504, 506 of the I.P.C. and $\frac{3}{4}$ of the D. P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged



against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is the husband of the victim. The case is triable by the Magistrate. The petitioner has further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, provisional bail granted to the petitioner by the then another Co-ordinate Bench of this Court, vide order dated 06.11.2020, is hereby confirmed.

If so advised, either of the parties will be at liberty to make an application before the learned 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.

The opposite party no. 2 will be at liberty to make an application before the concerned Family Court for the purpose



of maintenance, if so advised.

(Sudhir Singh, J)

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