

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19778 of 2020

Arising Out of PS. Case No.-31 Year-2019 Thana- MAHILA PS District- Aurangabad

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SHAHANSHAH ALAM Son of Md. Islam Alam Resident of Village - Islam
Toli, P.S.- Aurangabad Town, District- Aurangabad

... .. Petitioner.

Versus

1. The State of Bihar
2. Vinita Kumari D/o Yamuna Singh R/O Vill. - Phulwariya, P.O. - Kataki, PS -
Deo, Dist. Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

6 01-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 354, 498A, 379, 506, 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.

Earlier by order dated 14-08-2020 passed by a coordinate bench of this court, notices were ordered to be issued. The notices were issued upon O.P. No. 2 at the address endorsed by the informant in the FIR but the same could not be validly served upon O.P. No. 2 .



It has been submitted on behalf of the petitioner that 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 petitioner is husband of the victim. The petitioner undertakes that he will cooperate during trial. 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 of the case, let the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Mahila P.S. Case No. 31 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.

(Sudhir Singh, J)

A.K.V.//-

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