

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23698 of 2021

Arising Out of PS. Case No.-2958 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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NAZIR ALAM S/o Hatim Miyan R/o Village- Belghati, P.S.- Tukauliya,
District- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. REHANA KHATOON W/o Nazir Alam, D/o Mustakim Miyan R/o Village-
Belghati, P.S.- Tukauliya, District- East Champaran. presently residing at
Belwa Tiwari Tola, P.S.- Turkauliya, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Patanjali Rishi
For the Opposite Party/s : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-12-2021 Heard learned counsel for the petitioner and learned

APP for the State.

Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the Office, within a period

of eight weeks.

The petitioner is apprehending his arrest in a case

registered under Sections 498A, 379, 323, 504 read with 34 of

the Indian Penal Code in which cognizance has been taken

under section 498A 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 twelve 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 A.C.J.M. -XI, East Champaran at Motihari in connection with Complaint Case No. 2958 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)

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