

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12224 of 2020

Arising Out of PS. Case No.-357 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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SHEKH NAI MULLAH @ NAIMULLA S/o Shekh Mahibullah Resident of
Village- Jhitahiya, P.S.- Lakhaura, Distt- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar, Adv.
For the Opposite Party/s	:	Mr.Zainul Abedin, APP
For the Informant	:	Mr.Umesh Chandra Verma, Adv.
		Mr.Abhishek Kumar, Adv.
		Mrs.Rashmi Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 21-12-2021 Heard the parties.

The petitioner apprehends his arrest in a case registered under sections 341, 323, 324, 379, 498(A), 504, 511/34 of the IPC and sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim and ousting her out of the matrimonial house, due to non-fulfillment of demand of dowry.

It is submitted by learned counsel for the petitioner that petitioner is an innocent person and has committed no offence. Petitioner has never tortured the informant nor made any dowry demand and has been falsely implicated in the present case. 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. It is
submitted that the petitioner is ready and willing to keep his
wife with full honour and dignity.

Considering the aforesaid facts and circumstances, let the
petitioner, named above, in the event of his 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.25,000/- (Rupees Twenty Five Thousand) with two
sureties of the like amount each to the satisfaction of the learned
Court below, where the case is pending/Successor court, in
connection with Muffasil (Lakhaura) P.S. Case No.357/2019,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

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.

(Anjani Kumar Sharan, J)

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