

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30768 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- MAHILA PS District- Buxar

MD. AYAZ @ AYAZ S/o Md. Reyaz Resident of Village- Banni, P.S.-
Dhansoi, District- Buxar.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shabnam Khatoon D/o Shamimuddin Resident of Village- Banni, P.S.-
Dhansoi, District- Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Pandit
For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 23-07-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 504, 506, 498A/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

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 petitioner is husband of the victim. 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 and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (Mahila) P.S. Case No. 10 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

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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