

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35266 of 2020

Arising Out of PS. Case No.-538 Year-2019 Thana- NATHNAGAR District- Bhagalpur

MD. PARWEZ KHAN @ BANTY Son of Late Md. Sattar Khan Resident of Mohalla - Hussainabad, Pannamill Road, Police Station - Babarganj, District - Bhagalpur, State - Bihar, At Present - Resident of 135/1, Noor Apartment, 401 A, 4th Floor, Shahinbagh, Police Station - Jamianagar, District - Okhla, New Delhi -01. Petitioner

Versus

1. The State of Bihar
2. AFRIN SARWAR Daughter of Md. Sarwar Imam, Wife of Md. Parwez Khan @ Banty Resident of mohalla - Jain Mandir Road, Kabirpur, Police Station - Lalmatiya (Nathnagar), District - Bhagalpur.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Sanjeet Kumar
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP
For the informant : Mr. Amit Narayan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the Office, within a period of four weeks.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 498-A, 504, 506 and 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.

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 six 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. -1st, Bhagalpur in connection with Nathnagar (Lalmatia) P.S. Case No. 538/2019, 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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