

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1859 of 2021**

Arising Out of PS. Case No.-1905 Year-2019 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Sheikh Noor Islam @ Noorul Islam @ Noor Islam, aged about 36 years,
Gender-Male, Son Of Late Sirajuddin, Resident Of Viillage- Shikarpur P.S,-
Balial Belon Distt- Katihar.

... .. Petitioner

Versus

1. The State Of Bihar.
2. Tarannum Khatoon, aged about 22 years, Gender-Female, D/O Askandar,
Resident Of Village - Basantpur, P.S- Barsoi(Sudhani O.P) Distt- Katihar.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Bhola Prasad, Advocate.
For the State	:	Mr. Ratnakar Ambastha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-06-2021 Learned counsel for the petitioner is directed to

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

of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned

A.P.P. for the State through Virtual mode.

The petitioner is apprehending his arrest in a case for

the offence registered under Sections 498(A), 323, 379, 307 and

120(B) of the I.P.C.

The prosecution story, in brief, is that the accused

persons including the petitioner tortured the victim due to non-

fulfilment of demand of dowry.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is the husband of the victim. Cognizance has been taken for the offence under Sections 498(A), 323, 379 and 504/34 of the I.P.C. The case is triable by the Magistrate. The petitioner has further 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

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 twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of the learned C.J.M., Katihar, in connection with Complaint Case No. 1905 of 2019, 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) only 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. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

The opposite party no. 2 will be at liberty to make an application before the concerned Family Court for the purpose of maintenance, if so advised.

(Sudhir Singh, J)

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