

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50331 of 2021

Arising Out of PS. Case No.-209 Year-2020 Thana- KATIHAR MUFFASIL District- Katihar

MD. HABIB Son of Md. Shish Mohammad Resident of village - Haji Basir Tola (Mogra), P.S. - Katihar Muffasil, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tanjera Khatoon Wife of Md. Habib, D/o Md. Khurshid Ali Resident of village - Haji Basir Tola (Mogra), P.S. - Katihar Muffasil, District - Katihar. At present resident of Village - Rampur Kospali, P.S.- Hasanganj, District - Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bimal Kumar
For the Opposite Party/s	:	Mr.Mritunjay Kumar Nirala, APP
For the Informant	:	Mr. Sanjeev Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-10-2021 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 eight weeks.

The petitioner is apprehending his arrest in a case registered under Section 498A 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 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 S.D.J.M., Katihar in connection with Muffasil P.S. Case No. 209 of 2020, 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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