

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37883 of 2020

Arising Out of PS. Case No.-125 Year-2019 Thana- BEERPUR District- Begusarai

MD. AJMAT @ MD. AZMAT S/o Md. Abdul Hafeez @ Md. Hafiz @ Hafiz
Resident of Village- Sikarhula, (Masjid tola), P.S.- Birpur, Distt- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. JUHI KHATOON Wife of Md. Ajmat @ Md. Azmat, D/o Md. Anwar
Resident of Village- Sikarhula, (Masjid tola), P.S.- Birpur, Distt- Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Sandip Kumar Gautam, Advocate
For the State	:	Mr.Raj Kishore Prasad, APP
For opposite party No.2	:	Mr.Chandan Kumar Kashyap, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 30-11-2021 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No.2.

Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner is apprehending his arrest in connection with Birpur P.S. case No.125 of 2019 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-fulfilment 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. 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 and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, 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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Begusarai in connection with Birpur P.S. case No.125 of 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. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

(Sudhir Singh, J)

Narendra/-

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