

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55853 of 2021

Arising Out of PS. Case No.-250 Year-2020 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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MD. NADEEM @ NADEEM SON OF MD. AYUB R/O MOHALLA-
JAKARIYA COLONY, P.S.- KAZI MOHAMMADPUR, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. SMT. NADIA RAHMAN WIFE OF MD. NADEEM R/O- JAKARIYA
COLONY, SADPURA, P.S.- KAZI MOHAMMADPUR, DISTRICT-
MUZAFFARPUR, BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan
For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned 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 a case
registered under Sections 341, 323, 504, 498(A), 354(A),
354(B), 307 and 120(B) 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 been falsely implicated in the present case. There is no injury report in support of the offence under Section 307 of the Indian Penal Code. No offence u/S 307 of the Indian Penal Code is made out. Rest of the offences are triable by the Magistrate. 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, 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Muzaffarpur East in connection with Kazi Mohammadpur P.S. Case No. 250 of 2020 (GR No. 3969 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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