

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59097 of 2021

Arising Out of PS. Case No.-237 Year-2019 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

MD. AFROJ ALAM, aged about 40 years, Male, Son of Late Md. Naim Ansari @ Md. Moyeem Ansari, Resident of Village - Meenapur, P.S.- Hajipur Sadar, District - Vaishali.

... .. Petitioner

Versus

1. The State of Bihar.
2. Hushan Marium, Wife of Md. Afroj Alam, Resident of Village - Meenapur, P.S.- Hajipur Sadar, District - Vaishali at present residing Daughter of Late Haidar Ali, Village - Kutrum Kolhua, P.S.- Saraia, District - Muzaffarpur.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Shyameshwar Kumar Singh, Advocate
For the State	:	Mr. Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-11-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in connection with Complaint Case No. 237 of 2019 for the offence registered under Sections 323, 406 and 498(A)/34 of the I.P.C. in which cognizance has been taken under Sections 498(A)/34 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. He has falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is the husband of the victim. 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 furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Ist, (West), Muzaffarpur, in connection with Complaint Case No. 237 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)

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