

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60166 of 2021

Arising Out of PS. Case No.-40 Year-2020 Thana- MAHILA P.S. District- Araria

MD. SAMIDUR RAHMAN @ MD. SAMIRUDDIN @ SAMIDUR RAHMAN @ MAHAJAN, aged about 27 years (M), Son of Motiurahman @ Moti, Resident of Village- Tirhut Bitta Chatar Ward No. 10, P.S. and District- Araria.

... .. Petitioner

Versus

1. The State of Bihar.
2. Najma Praveen, aged about 25 years (F), Daughter of Md. Samidur Rahman, Resident of Village- Chikni Ward No. 04, P.S. and District- Araria.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Mukesh Kumar Rana, Advocate
For the State	:	Mr. Nand Kumar, 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 Araria (Mahila) P.S. Case No. 40 of 2020 for the offence registered under Sections 341, 323, 498(A), 379, 506 of the I.P.C. and $\frac{3}{4}$ of the D.P. Act and the police found the case true under Sections 341, 323, 498(A), 379 and 506 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 S.D.J.M. Araria, in connection with Araria (Mahila) P.S. Case No. 40 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. 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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