

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54362 of 2019

Arising Out of PS. Case No.-194 Year-2019 Thana- DUMRA District- Sitamarhi

MD. SAHADAT Son of late Md. Hamid Resident of village- Muradpur, P.S.
Dumra, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nurjahan Khatoon Wife of Md. Sahadat daughter of Md. Halim At present
resident of Village- Sahwajpur, P.S. Ahiyapur, District- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shankar Kumar
For the State	:	Mr.Gauri Shankar Gupta,APP
For the Complainant	:	Mr. Chandra Shekhar Anand

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 31-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

The petitioner is apprehending his arrest in a case
registered under Sections 498A, 323 and 307/34 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 falsely been implicated in the



present case due to petty family dispute. As far as offence under Section 307 IPC is concerned, there is no medical report to support the allegation made in the F.I.R. Rest of the offences are triable by the Magistrate. The matter was referred to the Mediation Centre. It has been submitted on behalf of the counsel for the petitioner and counsel for O.P. No. 2 that the matter was resolved but subsequently, again some dispute had arisen. 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 F.I.R.

Considering the aforesaid facts and circumstances, 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 his personal bond to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 194/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall



furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

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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