

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74292 of 2019

Arising Out of PS. Case No.-1825 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

MD. SABIR Md. Habibullah Ansari Resident of Dargah, Ward No. 22, Police
Station- Bettiah Town, District- West Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Halima Khatoon Wife of Md. Sabir, Daughter of Md. Sharfuddin Resident
of Village- Kishunbagh, Ward No.3, Police Station- Bettiah Town, District-
West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Zainul Abedin
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

8 27-09-2021 Heard learned counsel for the petitioner and learned APP
for the State.

The matter has been pending since 2019. Hence, the
petitioner presses that let the order be passed on merit.

The petitioner is apprehending his arrest in Complaint Case
No. 1825(C)/2017 in which cognizance has been taken under
Section 498A of the Indian Penal Code and Section 4 of Dowry
Prohibition Act.

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. 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, it is submitted that the petitioner is named in the Complaint Case.

Considering the aforesaid facts and circumstances, let 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 furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bettiah, West Champaran in connection with Complaint Case No. 1825(C)/2017, 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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