

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65636 of 2019

Arising Out of PS. Case No.-141 Year-2019 Thana- CHAPRA TOWN District- Saran

MD. AFTAB ALAM Son of Ekramul Haque Resident of Mohalla-Bagh Taj Khan @ Pokhra Gudri Bazar behind Soni Alankar Complex P.S.-Hajipur Town, P.O.-Hazipur, District-Vaishali.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Anjum Bano Wife of Aftab Alam D/o Md. Mahagoo @ Maniruddin At Present Resident of Mohalla-Rahat Road Karim Chak, P.O.-Chapra, P.S.- Chapra Town, District-Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Lovekush Kumar, Advocate
For the State	:	Mrs.Anita Kumari, APP
For opposite party No.2	:	Mr.Rajesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 17-12-2021 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party No.2 through virtual mode.

The petitioner is apprehending his arrest in connection with Chapra Town P.S. case No.141/2019 registered under Sections 498A, 307, 384, 379, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture and assault upon the victim due to non-fulfilment 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. Except for offence under Section 307 I.P.C., rest of the offences are triable by the Magistrate. There is no medical examination report in respect of offence under Section 307 of I.P.C. Hence, no offence under Section 307 of I.P.C. is made out. 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 and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the 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 bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra in connection with Chapra Town P.S. case No.141/2019, 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)

Narendra/-

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