

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71326 of 2019

Arising Out of PS. Case No.-665 Year-2019 Thana- COMPLAINT CASE District- Araria

MD. FAIQUE @ FAIQUE S/o- Md. Islam Khan Resident of Village- Bansar,
Ward No. 6, P.S.- Palasi, District- Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bibi Khurshida W/O- Md. Faique @ Faique, D/O- Aiyub Khan Resident of
Village- Bansar, Ward No. 6, P.S.- Palasi, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Md. Naushad Uzzoha, Advocate
For the State	:	Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 16-11-2021 Heard learned counsel for the petitioner and learned APP
for the State.

None appears on behalf of the opposite party No.2.

The petitioner is apprehending his arrest in connection
with Complaint case No.665c/2019 registered under Section 498A of
the Indian Penal Code.

Allegation against the petitioner is of committing torture
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. 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/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 Sub Divisional Judicial Magistrate, Araria in connection with Complaint case No.665c/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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