

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72563 of 2019

Arising Out of PS. Case No.-21 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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AFROJ ALAM Son of Nashim Akhtar Resident of Village - Masahi, P.S.-
Chhauradano, Distt - East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Mehanaz Khatoon Wife of Abroj Alam, D/o Serajul Hag Resident of Village
- Madhopur, Mahuwawa, P.S.- Chiraya, Distt - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

5 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 a case
registered under Sections 498A of the Indian Penal Code and ³/₄
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/F.I.R.

Considering the aforesaid facts and circumstances, the **provisional bail** granted to the petitioner under order dated 11.12.2019 in connection with Complaint Case No. C21 of 2019 to the satisfaction of learned S.D.J.M., Raxaul, East Champaran, Motihari, stands confirmed.

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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