

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70243 of 2019

Arising Out of PS. Case No.-530 Year-2018 Thana- COMPLAINT CASE District-
Kishanganj

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AMJO (M), aged about 36 years, Son of Late Saretulla, Resident of Hatgaon,
P.S.-Terhagachh, District-Kishanganj.

... .. Petitioner

Versus

1. The State of Bihar.
2. Samsun Nisha (F), aged about 29 years, Wife of Amjo, Daughter of Jahirun,
Resident of Hatgaon, P.S. - Terhagachh, District - Kishanganj.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Vijay Kumar, Advocate.
For the State	:	Mr. Rajesh Kumar, A.P.P.
For the O.P. No. 2	:	None.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 24-02-2021 Notices have been validly served upon opposite party
no. 2 but none appears on behalf of opposite party no. 2.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Section 498(A) of the I.P.C.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged



against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is the husband of the victim. The case is triable by the Magistrate. The petitioner has further 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R./Complaint case.

Considering the aforesaid 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 six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Kishanganj, in connection with Complaint Case No. -C 530 of 2018, 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 learned 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.

The opposite party no. 2 will be at liberty to make an application before the concerned Family Court for the purpose of maintenance, if so advised.

(Sudhir Singh, J)

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