

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73091 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- MAHILA P.S. District- Samastipur

Md. Taukir Alam @ Tauqeer Alam Son of Md. Ful Hasan @ Phool Hasan
Resident of Village-Lad Kapsiya, Police Station-Bithan, District-Samastipur.
... .. Petitioner/s

Versus

1. The State of Bihar.
2. Saida Khatun Daughter of Late Fulo Nadaf, Wife of Md. Taukir Alam @
Tauqeer Alam Resident of Village-Manorma Khaira, Police Station-Bithan,
District-Samastipur.
... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Manoj Kumar No.1
For the Opposite Party/s :	Smt. Veena Kumari Jaiswal Mr. Fakhruddin Ali Ahmad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 13-12-2021 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in a case registered under Sections 323, 341, 498A, 504 and 34 of the Indian Penal Code.

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 there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present 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 FIR.

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.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Class, Judicial Magistrate, Samastipur in connection with Samastipur Women P.S. Case No.43 of 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.

(Anjani Kumar Sharan, J.)

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