

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76562 of 2019

Arising Out of PS. Case No.-1864 Year-2018 Thana- PURNIA COMPLAINT CASE District-
Purnia

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MD. AHMAD @ AHMAD HUSSAIN Son of Amin @ Amin Uddin Resident
of Village- Khunkhuni, P.S.- Amour, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sayeeda Praveen Daughter of Md. Sagir Resident of Village- Ghusaki, P.S.-
Jalalgarh, District- Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Amit Kumar Anand, Advocate
For the State	:	Mr. C. Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 31-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

The petitioner is apprehending his arrest in connection
with Complaint case No.1864 of 2018 registered under Section
498A of the Indian Penal Code and 4 of Dowry Prohibition Act.

By order dated 22.01.2020, notice was issued upon
the opposite party No.2. As per the office note dated 09.08.2021,
the opposite party No.2 refused to acknowledge the service of
notice. Same is treated to be validly served upon the opposite
party No.2.

No one appears on behalf of the opposite party No.2.

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 his personal bond to the satisfaction of learned Sub Divisional Judicial Magistrate, Purnea in connection with Complaint case No.1864 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight



weeks to the satisfaction of the court concerned in connection with the aforesaid case.

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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