

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.678 of 2020

Arising Out of PS. Case No.-784 Year-2018 Thana- COMPLAINT CASE District- Araria

ABDUL WAHAB S/o Md. Amin R/o village- Mohanpur Kathara, P.S.-
Chhatapur, District- Supaul

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Samsuna W/o Abdul Wahab, D/o Md. Shamim R/o village- Fatehpur, Ward
No.- 7, P.S.- Narpatganj, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the State : Mr.Dinesh Singh, APP
For the Opposite Party No. 2: Mr. Nafisuzohha, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 22-10-2021 Heard learned counsel for the petitioner, the State and
O.P. No. 2 through virtual mode.

The petitioner is apprehending his arrest in Complaint Case No. 784C of 2018 initially registered under Sections 498A & 379 of the Indian Penal Code but later on, cognizance has been taken under Section 498 A of the Indian Penal Code and 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 petitioner is husband of the victim. 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 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 bond of Rs. 10,000/- (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. 784C 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 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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