

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81533 of 2019

Arising Out of PS. Case No.-139 Year-2016 Thana- LALGANJ District- Vaishali

MD. IMTEYAZ Son of Late Md. Alam Resident of Village- Yusupur, P.S.-
Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Soni
For the Opposite Party/s : Mr. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-11-2021 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in Tr. No. 2428 of 2018 arising out of Lalganj P.S. Case No. 139 of 2016 initially registered under Sections 498(A), 341, 323, 379 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act in which later on, cognizance has been taken under Section-498(A) 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 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Tr. No. 2428 of 2018 arising out of Lalganj P.S. Case No. 139 of 2016 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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