

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82723 of 2019

Arising Out of PS. Case No.-2650 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Mir Hassan Alam Son of Ali Raj Mian Resident of Village - Laxmipur
Malmalti, P.S.- Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Samila Khatoon W/o Mir Hassan Alam, D/o Jalauddin Ansari Resident of
Village - Laxmipur Malmalti, P.S.- Sugauli, Distt.- East Champaran, At
Present resident of Village - Karaiya, P.S.- Turkauliya, Dist.- East
Champarna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra, Advocate
For the Opposite Party/s : Mrs. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 25-10-2021 Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner is apprehending his arrest in connection
with Trial No.975 of 2019 arising out of Complaint Case No.C-
2650 of 2018 registered for the offence under Section 498A of
the Indian Penal Code.

As per allegation in the FIR, petitioner is the husband
of the informant and he along with his other family members
assaulted the complainant for non-fulfilment of dowry.

Vide order dated 23.01.2020, notice was issued to the
Opposite Party No.2 and the Office Report reflects that notices



were validly served on Opposite Party No.2 but no one appeared on behalf of Opposite Party No.2.

Learned counsel for the petitioner submits that the petitioner has committed no offence and he has falsely been implicated in this case.

However, learned APP for the State vehemently opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, in the event of his arrest or surrender before the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Ms. Jyotsna Kumari, Ist Class, Judicial Magistrate, East Champaran, Motihari in connection with Trial No.975 of 2019 arising out of complaint Case No.C-2650 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, the court below is directed to issue notice to Opposite Party No.2 and the matter be referred to the District Mediation Centre, East Champaran, Motihari for settlement of the dispute.

(Rajesh Kumar Verma, J)

Brajesh Kumar/-

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