

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3032 of 2020

Arising Out of PS. Case No.-1087 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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MD. ASHIQUE Son of Md. Shamim Resident of Mohalla-Noon ka Chauraha
P.S.-Khajekallan, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gulshan Khatoon wife of Md. Ashique Resident of Mohalla Kanhaiya Tola
Bangala par, P.S.- Khajekalan Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Shekhar Sharma

For the Opposite Party/s : Mrs.Veena Rani Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-02-2021 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered
under Section 498A 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 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.

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 six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna City in connection with Complaint Case No. 1087 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. 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)

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