

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7825 of 2022

Arising Out of PS. Case No.-2069 Year-2018 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Md. Mojib Son Of Late Md. Jahur Resident Of Mohalla- Gulab Darjee Lane,
Balti Karkhana, Hussainabad, P.S- Mojahidpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rifat Parveen W/O Md. Mojib D/O Md.Rabbani Resident Of Gulab Darji Lane, Balti Karkhana Hussainabad, P.S- Mojahidpur, Dist- Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Md. Najmul Hodda, Advocate
For the State	:	Mr.Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned Counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

Further, learned counsel for the petitioner submits that
in the prayer portion of the present petition, due to
typographical error, case number has wrongly been typed as
“Complaint case No.2059 of 2018” in place of “Complaint case
No.2069 of 2018”.

Let in the prayer portion of the petition, the words
“Complaint case No.2059 of 2018” be corrected to be read as



“Complaint case No.2069 of 2018”.

The petitioner is apprehending his arrest in connection with Complaint case No.2069 of 2018 registered under Section 498A of the Indian Penal Code.

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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of



the like amount each to the satisfaction of learned A.C.J.M. II, Bhagalpur in connection with Complaint case No.2069 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioner is directed to co-operate during the trial. If the petitioner does not co-operate during the trial, the court below will be at liberty to cancel the bail bonds of the petitioner.

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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