

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31115 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- BARGAINIA District- Sitamarhi

JULFEKAR KHAN S/O MOTIULLAH KHAN R/O VILLAGE-STATION
ROAD PATHAN TOLI, WARD NO 24, MEHSAUL O.P, P.S AND
DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SHAHZADI KHATOON W/O JULFEKAR @ RIKI KHAN R/O
VILLAGE-STATION ROAD PATHAN TOLI, WARD NO.24, MEHSAUL
O.P., P.S. AND DISTRICT-SITAMARHI. A/P D/O MD. NOOR BABU, R/O
VILLAGE-BHAKURAHAR, P.S.-BAIRGANIA, DISTRICT-SITAMARHI.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dinesh Jha, Adv.
For the Opposite Party/s :	Mr.Mohammad Sufyan, APP
	Mr.Alok Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-01-2022 Heard the parties through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered under sections 341, 323, 498(A), 324/34 of the IPC and sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of demand of dowry and of ousting her out of her matrimonial house.



It is submitted by learned counsel for the petitioner that petitioner is an innocent person and has committed no offence. Petitioner has never made any dowry demand and has been falsely implicated in the present case due to grudge. 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*. It is submitted that the petitioner is ready and willing to keep his wife with full honour and dignity.

It is submitted by learned counsel for the informant that the informant-wife of the petitioner is also ready and willing to reside with the petitioner, provided, she is not tortured.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his 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.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Bairgania P.S. Case No.11 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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.

(Anjani Kumar Sharan, J)

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