

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35299 of 2022

Arising Out of PS. Case No.-157 Year-2021 Thana- BALRAMPUR District- Katihar

Md Shamim Akhtar @ Md Shamim Son Of Late Md. Sarif Resident Of
Village- Bagdogra, P.S.- Balrampur, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bhola Prasad, Advocate
For the Opposite Party/s	:	Mr.Yogendra Kumar Singh, APP
	:	Mazher Alam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-09-2022 Heard the parties.

The petitioner apprehends his arrest in a case under
Sections 498(A) of the IPC and Section 3/4 of Dowry
Prohibition Act.

Allegation against the petitioner is of committing
torture and assault upon the victim due to non-fulfillment of
demand of dowry.

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.

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 Balrampur P.S. Case No. 157 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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