

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12172 of 2023

Arising Out of PS. Case No.-1241 Year-2022 Thana- FORBESGANJ District- Araria

MD. SAJID ALI S/O MOHAMMAD WAZ UDDIN R/v- Bangama, P.S.-
Araria, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. ARSHI D/O MD. NAIYAR ALAM R/v- Simraha, Ward No. 02, P.S.-
Simraha, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Majid Mahboob Khan
For the Opposite Party/s :	Mr. Ajay Kumar Jha
	Mr. Nafisuzzoha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-06-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 313, 498A, 379, 504, 506/34 of the I.P.C. and Section 3/4 of the Dowry Prohibition Act.

Petitioner, who is husband of opposite party no2., is said to have ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and has committed no offence. Petitioner has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over



the demand of dowry. 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**.

In that view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond 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 Forbesganj (Simraha) P.S. Case No.1241 of 2022, 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 learned Court below for referring the matter to the District Mediation Center for the purpose of reconciliation or for one time settlement.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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