

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19035 of 2023

Arising Out of PS. Case No.-1977 Year-2019 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Md. Salman Son Of Md. Mister R/O Village- Khendabari, P.S.- Balia Belon,
District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Majrun Nisha @ Majrun Khatoon Wife Of Md. Salman, D/O Md. Tajmul Hussain Presently R/O Village- Rasalpur, P.S.- Balia Belon, District- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Md. Rahmatullah
For the Opposite Party/s	:	Mr. Lakshmi Kant Sharma
	:	Mr. Md. Mumtaz Uddin

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 08-09-2023

Heard the parties.

2. The petitioner apprehends his arrest in a case registered under sections 498(A) of the Indian Penal Code and 4 of D.P. Act.

3. The allegation against the petitioner is of torturing the informant in association of his family members on account of non-fulfillment of demand of dowry and of ousting her out of the matrimonial house.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. Petitioner has never made any dowry demand and has been falsely implicated in the present case mostly on suspicion and grudge. There is general and omnibus allegation against the petitioner. 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.*

5. Learned APP for the State along with learned counsel for the complainant opposes the prayer for bail.

6. In 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 Complaint Case No. 1977/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

11. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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