

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23859 of 2022

Arising Out of PS. Case No.-68 Year-2021 Thana- MAHILA P.S. District- Madhubani

MD. AADAM @ MD. ADAM Son of Md. Obed Resident of Village -
Kathaila, Police Station - Bisfi, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. FIRDOUS PRAVEEN Wife of Md. Aadam @ Md. Adam Resident of
Village - Kathaila, Police Station - Bisfi, District - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 22-06-2023 Heard learned counsel for the parties.

Learned counsel for the petitioner has filed a
supplementary affidavit in Court today.

Let the same be kept on record.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323, 341,
498(A), 379 and 34 of the Indian Penal Code and Sections 3/4
of the Dowry Prohibition Act.

Petitioner, who is husband of O.P. No.2, is said to
have ousted her 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*.

Learned counsel for the petitioner has stated in paragraph-2 of the supplementary affidavit that “the informant always lived in Delhi. She came to district Madhubani, Bihar and instituted false case and she stated about love affairs between the petitioner and informant and after case never returns to Bihar and heard that she re-married in Delhi.”

Considering the nature of offence, 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 Madhubani (Mahila) P.S. Case No.68 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.



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 Centre for the purpose of reconciliation or for one time settlement.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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