

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26370 of 2023

Arising Out of PS. Case No.-483 Year-2019 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Hafizula Rahman @ Hafizul Rahman Son Of Gulab Ansari Resident Of
Village - Jamadar Tola, Police Station - Bettiah Town (Kalibagh O.P.), District
- West Champaran.

... .. Petitioner

Versus

1. The State Of Bihar
2. Sayda Khatoon Wife Of Hafizul Rahman Daughter Of Buniyad Ansari,
Resident Of Village - Jamadar Tola, Police Station - Bettiah Town (Kalibagh
O.P.), District - West Champaran, At Present Resident Of Village -
Binwaliya, Police Station - Shikarpur, District - West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr.Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code and
Section 4 of Dowry Prohibition Act.

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

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against
the petitioner. The petitioner has falsely been implicated in the



present case due to petty family dispute. The case is triable by the Magistrate. 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.***

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Complaint Case No. 483(C) of 2019 C.I.S. Comp. (P) 473 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioner is directed to co-operate during the trial. If the petitioner does not co-operate during the trial, the Court below will be at liberty to cancel the bail bonds of the petitioner.

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. In case, any such application is made by either of the parties, the Court below shall refer the matter to the District Mediation Centre.

(Sudhir Singh, J)

Pankaj/Nitin

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