

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53226 of 2022

Arising Out of PS. Case No.-48 Year-2022 Thana- BEERPUR District- Begusarai

MD. KHURSHID ALAM @ MD. KHURSHID Son of Md. Usman Resident
of village - Mubarakpur, Ward No.- 10, P.S.- Birpur, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabana Khatoon Wife of Md. Khurshid Alam @ Md. Khurshid Daughter of
Md. Hashim, Resident of village - Phulwaria - 3 Ward No.- 12, P.S.-
Phulwaria, District - Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-02-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 498A , 323, 504, 506,
34 of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

Petitioner, who is husband of opposite party no2., is said
to have assaulted and tortured the opposite party no.2 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. He is still ready to keep her with full honour and dignity. 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 Birpur P.S. Case No.48 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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