

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66553 of 2022**

Arising Out of PS. Case No.-83 Year-2022 Thana- BELA District- Sitamarhi

MD. ANWAR Son of Md. Ansar Resident of Bara, P.S- Bela, Dist- Sitamarhi
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 17-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in a case registered
under sections 341, 323, 498A, 494 and 34 of the IPC.

Allegation against the petitioner is of committing
torture upon the victim in association with his family members for
non-fulfilment of demand of dowry and of ousting her out of the
matrimonial house.

It is submitted by learned counsel for the petitioner that
petitioner is an innocent person and has committed no offence.
Petitioner has never made any torture upon the victim and has been
falsely implicated in the present case due to grudge. He has never
made any dowry demand from the informant. 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*. It is submitted that the
petitioner is still ready and willing to keep his wife with full honour
and dignity.



Learned counsel for the O.P. No.2 has submitted that the O.P. No.2 is ready to live with the petitioner, provided she is not tortured.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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 Bela P.S. Case No.83/2022, 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 Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Anjani Kumar Sharan, J)

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