

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4272 of 2023**

Arising Out of PS. Case No.-869 Year-2018 Thana- AURANGABAD COMPLAINT CASE  
District- Aurangabad

MD. IMRAN S/O Late Shamsuddin Sah R/O Village- Mehendi Nagar, P.S-  
Hussainabad, District- Palamu (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rukhsana Parveen W/O Md. Imaran D/O Lall Mohammad At present  
resident of Mohalla Nawadih Idgah, P.S- Aurangabad, District- Aurangabad  
(Bihar)

... .. Opposite Party/s

**Appearance :**

|                          |   |                          |
|--------------------------|---|--------------------------|
| For the Petitioner/s     | : | Mr. Shailesh Kumar Singh |
| For the Opposite Party/s | : | Mrs. Pushpa Sinha.1      |
|                          | : | Mr. Aman Vishal          |
|                          | : | Mrs. Leelawati Kumari    |

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

3      22-06-2023                      Heard learned counsel for the petitioner and learned  
APP for the State assisted by learned counsel for the O.P. No.2.

The petitioner apprehends his arrest in a case  
registered under sections 323 and 498(A) of the IPC and Section  
4 of the D.P. Act.

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. It is further submitted that process under Section 82 and 82 of Cr.P.C. is completed in the present case. Section 82 Cr.P.C. was issued on 22.12.2022 and Section 83 of Cr.P.C. was completed on 16.03.2023.

Considering the aforesaid facts and circumstances and the fact that process under Section 82 & 83 of Cr.P.C. was completed when the application was already pending in this court, 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 Complaint Case No.869/2018 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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