

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3978 of 2024

Arising Out of PS. Case No.-187 Year-2023 Thana- AAJAM NAGAR District- Katihar

Md. Nasim Akhtar S/O ABDUL LATIF R/O- KORHOBARI, PS.
AZAMNAGAR, DISTT. KATIHAR.

... .. Petitioner/s

Versus

1. The State of Bihar
2. MUSKAN KHATOON D/O MD. JAKIR R/O- JARHANDA, WARD NO. 10, PS. AZAMNAGAR, DISTT. KATIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.
For the Opposite Party/s : Mr.Abhay Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 504, 506, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of opposite party no2., is said to have tortured upon her physically and mentally and ousted her from matrimonial house in association of his family members over the dowry demand.

4. 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 tormented her over the demand of dowry. All the allegation levelled against the petitioner is totally false and based on concocted facts. The real fact is that the informant does not want to live in her matrimonial house with her in-laws and husband. There is no allegation against the petitioner to tamper the evidence. Petitioner is still ready to keep his wife with full dignity and honour. He 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**. Petitioner has no criminal antecedent.

5. 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 Azamnagar P.S. Case No. 187 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

6. 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.

(Anjani Kumar Sharan, J)

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