

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37380 of 2023

Arising Out of PS. Case No.-36 Year-2022 Thana- MAHILA P.S. District- Bhagalpur

Md. Daniyal Ansari Son of Mohammad Shamim Akhtar, r/o Gulzar Nagar,
Jamuriya Bazar, PS- Jamuriya, District Paschim Vardhman, West Bengal.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Zikra Bint Reyaz @ Gudiya Daughter of Late Md. Reyazul Haque, Resident of Village- Kabirpur, PS- Nath Nagar (Lalmatiya), Dist- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amit Srivastava, Advocate Mr. Zainul Abedin, Advocate Mr. Afam Akhtar, Advocate
For the Informant	:	Mr. Hansraj, Advocate
For the Opposite Party/s	:	Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 05-03-2024 Heard Mr. Amit Srivastava, the learned counsel for the petitioner, Mr. Hansraj, the learned counsel for the Informant and Mr. Madan Kumar, the learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bhagalpur Mahila PS Case No. 36 of 2022, FIR dated 07.08.2022, registered for the offences punishable under Sections 498 (A), 341, 323, 504 and 506 read with Section 34 of the Indian Penal Code and under Section 3/4 of Dowry Prohibition Act.



3. According to prosecution case, the informant was assaulted and was later ousted from her matrimonial home due to non-fulfillment of dowry demands.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and the allegations levelled in the FIR are false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. Vide order dated 17.10.2023, the matter was referred to to Mediation Centre to settle disputes between the parties. Learned counsel for the informant submits that despite best efforts in the mediation proceeding, the petitioner never appeared before the learned mediator and due to laches in the part of the petitioner, mediation could not succeed and consequently, mediation has failed.

6. The learned counsel for the Informant and the learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that he never appeared before the learned mediator due to laches on his part, mediation has failed.

7. In view of the aforesaid, it appears that despite the direction of this Hon'ble Court, the petitioner has not appeared before the learned mediator to settle the disputes, I am **not**



inclined to grant the privilege of anticipatory bail to the petitioner in connection with Bhagalpur Mahila PS Case No. 36 of 2022, pending in the Court of learned Judicial Magistrate 1st Class, Bhagalpur.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

Shahnawaz/-

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