

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47090 of 2023

Arising Out of PS. Case No.-1897 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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AMIR ALI @ KUIISH MIYAN @ AMIR ALAM S/O LATE MAHMADIN
MIYAN R/O VILLAGE- CHATIYA, PS. MALAHI, DIST. EAST
CHAMPARAN

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. JAMSHIDA KHATOON W/O SAGIR ALI R/O VILLAGE-
BHAWANIPUR, PS. SANGRAMPUR, DIST. EAST CHAMPARAN

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar
		Mrs. Rashmi Jha
For the Opposite Party/s :		Mr. Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 30-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. Vide order dated 19.01.2024, notice was deemed to
be validly served upon the O.P. No.2 but nobody has entered
appearance on her behalf.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498A,
323, 34 of the Indian Penal Code.

4. Petitioner, who is husband of the daughter of
opposite party no2., is said to have assaulted and ousted her



daughter from her matrimonial home in association of his family members over the dowry demand.

5. 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. There is no specific overt act against the petitioner. 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**.

6. 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 Complaint Case No.1897 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

7. 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.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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