

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53371 of 2023

Arising Out of PS. Case No.-424 Year-2020 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

Md. Naseem Alam Son Of Khatim Khan @ Md. Khasim Resident Of Village
- Manganj (East), P.S. - Jadiya, District - Supaul

... .. Petitioner/S

Versus

1. The State Of Bihar Patna
2. Farhat Wife Of Naseem Alam Resident Of Village - Manganj East, Ward No.4, P.S. - Jadiya, District - Supaul At Present Daughter Of Md. Faruque Khan, Resident Of Village - Baghla Kamalpur, Post - Panchobh, P.S. - Bisanpur, District - Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-01-2024 Heard learned counsel for the petitioner and Mr. Dilip

Kumar No.1, learned A.P.P. for the State.

2. Notice has validly been served upon opposite party no. 2, but nobody appears on her behalf.

3. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498(A) of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

4. Petitioner, who is husband of opposite party no2., is said to have tortured upon her physically and mentally and ousted her 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. 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 further submitted that the petitioner is ready to keep her with full honour and dignity.

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. 424 of 2020 (T. No. 2284 of 2022), 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 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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