

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65770 of 2023

Arising Out of PS. Case No.-2712 Year-2020 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

=====

MD. MAHFOOZ SON OF MD. ZAFIR RESIDENT OF VILLAGE -
SAIDPUR GANESH, P.O. - PANAPUR DHARMPUR, P.S. - BIDUPUR,
DISTRICT - HAJIPUR (VAISHALI) PIN CODE NO. - 844102

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. NAGMA PARVEEN W/O. MD. MAHFOOZ, D/O. MD. AKRAM
RESIDENT OF VILLAGE - SAIDPUR GANESH, P.O. - PANAPUR
DHARMPUR, P.S. - BIDUPUR, DISTRICT - HAJIPUR (VAISHALI) PIN
CODE NO. - 844102 (AT PRESENT RESIDING AT MOHALLA -
PURANI GUDARI ROAD, MAHARAJI POKHAR, CHAKMOAZZAM,
WARD NO.38, P.O.- RAMNA, P.S. - NAGAR, DISTRICT -
MUZAFFARPUR)

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pradeep Kumar Sinha, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 22-01-2024 Heard learned counsel for the petitioner and learned APP

for the State. Despite valid service of notice upon the O.P. No.2,

nobody has entered appearance on her behalf.
2. Petitioner apprehends his arrest in a case registered for

the offences punishable u/s 498A of the IPC and $\frac{3}{4}$ of D.P. Act.
3. Petitioner, who is husband of complainant, is said to have

tortured the complainant over dowry demand and ousted her

from the matrimonial house.
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 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*.

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 Complaint Case No.2712 of 2020, 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 one time settlement.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

