

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20485 of 2020

Arising Out of PS. Case No.-120 Year-2019 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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SRI KAMLESH @ KAMLESH PRASAD Sheopujan Prasad Resident of
Village - Siyanvak, P.S.- Badhaila, Distt.- Rohtas. At Present - Plot No.64 (F),
Flat No.101, Narmada Tulsi Apartment, Dobi Nagar Corporate Housing
Society Nike Nagar mandava Ring Road, Nagpur (Maharashtra).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nikita Kumari @ Gudia W/o Kamlesh, D/o Late Raju Sharma, Permanent
address Resident of Village - and Post.- Siyanvak, P.S.- Badhaila, Distt.-
Rohtas., C/o Baban Singh, Ward No.18, P.S.- Dehari, P.O.- Dalmiya Nagar,
Distt.- Rohtas. (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Singh
For the Opposite Party/s : Mr. Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 06-12-2021 Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned A.P.P. for the
State.

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

Petitioner, who is husband of opposite party no.2.,
is said to have ousted the opposite party no.2 from her



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

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. He is still ready to keep her with full honour and dignity. 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**.

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.120/2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

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)

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