

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10180 of 2020

Arising Out of PS. Case No.-2738 Year-2017 Thana- COMPLAINT CASE District- Araria

MD. MASAM @ MD. MASOOM Son of Ali Hasan Resident of Village-
Dhama, P.S.- Araria (R.S.), District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
 2. Bibi Soni Praween Daughter of Md. Anwarul , Wife of Md. Masam @ Md. Masoom Resident of Village- Sherlanga, P.S.- Jokihat, District- Araria.
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana
For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 16-05-2022 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498(A) of the Indian Penal Code and Section 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 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 learned court below where the case is pending/successor court in connection with Complaint Case No.2738 of 2017, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

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 Centre for the purpose of reconciliation or for one time settlement.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J.)

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