

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16376 of 2022

Arising Out of PS. Case No.-720 Year-2021 Thana- KANKARBAG District- Patna

PADMSEN KASHYAP Son of Ram Babu Resident of Village - Ashok Nagar
Road No. F-1, P.s.- Kankarbagh, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Kumari W/o Padmsen Kashyap, D/o Vijay Prakash Resident of Village
- Ashok Nagar Road No. F-1, P.s.- Kankarbagh, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-08-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered under sections 323, 504, 506, 307, 498(A)/34 of the IPC and sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of demand of dowry.

It is submitted by learned counsel for the petitioner that petitioner is an innocent person and has committed no offence. Petitioner has never made any dowry demand and has been



falsely implicated in the present case due to grudge. 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 submitted that the petitioner is ready and willing to keep his wife at Bhagalpur where he works, with full honour and dignity.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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 Kankarbagh P.S. Case No.720 of 2021, 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 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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