

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30913 of 2021

Arising Out of PS. Case No.-1081 Year-2019 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Md. Asgar S/O Md. Noor R/O Mohalla-Brahampura, P.S.-BRAHAMPURA,
District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandani Begum S/O Md. Sadrul R/O Village And P.O.-GOVINDPUR
Khajuri Ward No. 4, P.S.-KALYANPUR, District-Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bela Singh
For the Opposite Party/s : Mr. Anil Pd. Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-04-2022 Heard learned counsel for the parties.

Vide order dated 19.01.2022, notice was issued to the
opposite party no. 2. Office pointed out that notice was validly
served but nobody appears on her behalf.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498A/ 34
of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

Petitioner, who is husband of opposite party no2.,
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 Tr. No. 2988 of 2020 arising out of Samastipur Complaint Case No.1081/2019, 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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