

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31973 of 2022

Arising Out of PS. Case No.-1312 Year-2019 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Jitendra Chaudhary S/O Surendra Chaudhary Resident Of Village- Baliari,
P.S.- Roh, District- Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Punita Kumari W/O Jitendra Chaudhary, D/O Suresh Chaudhary Resident Of Village- Baliari, P.S.- Roh, District- Nawada At Present Resident Of Village- Harnarayanpur, P.S.- Nardiganj, District- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar
For the Opposite Party/s : Mr.Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In compliance of the order dated 21.11.2022, a jointness petition has been filed by the petitioner in which it is stated that opposite party no. 2 resides with her father and brother after the matrimonial dispute.

Considering the facts aforesaid, notice issued to the opposite party no. 2 is treated to be validly served.

Learned counsel for the petitioner undertakes to remove the defects, if any, within three weeks.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 498(A) of the Indian Penal Code.



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 anticipatory 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. 1312 of 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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