

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32999 of 2022

Arising Out of PS. Case No.-115 Year-2021 Thana- MAHILA P.S. District- Araria

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AMIT KUMAR BHAGAT S/O BINOD KUMAR BHAGAT Residence of
Mirchaibari, Ward No. 05, P.S.- Katihar, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sweta Kumari W/o Ait Kumar Bhagat, D/o Baijnath Bhagat Resident of Forbesganj Ward No. 10, P.S.- Forbesganj, District- Araria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh
For the Opposite Party/s : Mrs. Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2022 Heard learned counsel for the petitioner, learned

counsel for the opposite party no.2 and learned APP for the

State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498A, 341,
323, 504, 506 & 494/34 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. It is further submitted that earlier the informant had filed a complaint case for the same nature of the offence and a co-ordinate Bench of this Court had granted anticipatory bail to the petitioner and thereafter this false and frivolous case has been lodged against him. 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**. Petitioner has no criminal antecedent.

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 Mahila P.S. Case No.115/2021, 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 learned Court below for referring the matter to the District Mediation Center for the purpose of reconciliation or for one time settlement.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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