

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46421 of 2021**

Arising Out of PS. Case No.-476 Year-2020 Thana- PHULWARISHARIF District- Patna

MERAJ AHMAD S/o Bashir Ahmad Resident of 20, P.M. Basti, 4th Bye Lane, P.O. and P.S.- Shibpur, District- Howrah, West Bengal, Pin Code- 711102.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Senior Advocate
Mr. Digvijay Pratap Singh
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

5 26-04-2022 Heard Mr. N.K. Agrawal, learned senior counsel assisted by Mr. Digvijay Pratap Singh for the petitioner and learned APP for the State but in spite of putting appearance there is no representation on behalf of complainant.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 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**.

A counter affidavit filed by complainant is on record and in paragraph-6, it is clearly stated that seeing the conduct and behaviour of the accused persons she is not in a position to reconstitute her conjugal life with the petitioner.

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 Phulwarisharif P.S. Case No.476/2020, 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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