

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50880 of 2022

Arising Out of PS. Case No.-146 Year-2020 Thana- MAHILA P.S. District- Patna

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Amarjeet Kumar Son Of Dhirendra Kumar @ Dhirendra Kumar Sharma R/O
Village- Shri Krishna Road, Belan Bazar, P.S.- Kashim Bazar, District-
Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Kumari D/O Late Mohan Sharma, W/O- Amarjit Kumar Resident Of
Aashiyana Indrapuri Colony, P.S.- Shastri Nagar, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha

For the Opposite Party/s : Mr.Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A, 504, 506, 34 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. He submits that the petitioner is



husband of the informant and an employee of Indian Air Force. He submits that petitioner is paying Rs. 12200/- w.e.f. January, 2021 to the opposite party no. 2 as maintenance amount. 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 Mahila P.S. Case No. 146 of 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 one time settlement.

However, petitioner is directed to appear in maintenance case filed by the informant before the learned court below. If the petitioner fails to appear in the maintenance case, the informant is at liberty to move before the learned court below for cancellation of bail bond of the petitioner.

(Anjani Kumar Sharan, J)

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