

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51394 of 2022

Arising Out of PS. Case No.-106 Year-2019 Thana- LADANIA District- Madhubani

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Arun Kumar Amar Son of Late Dukhi Sah @ Late Dukhi Sahu Resident of village - Pathrahi, Ward No.- 08, P.S.- Ladania, District - Madhubani.

... .. Petitioner

Versus

1. The State of Bihar
2. Vidya Bharti Wife of Arun Kumar Amar D/o Suresh Prasad Sahu @ Ganeshi Sahu, Resident of village - Pathrahi, Ward No.- 08, P.S.- Ladania, District - Madhubani. At present resident of village - Khutauna, P.S.- Khutauna, District - Madhubani.

... .. Opposite Party/s

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Appearance:

For the Petitioner : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party : Mr. A.G

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State.

Learned counsel for the petitioner is directed to remove the defects within three weeks.

The petitioner apprehends his arrest in a case registered under sections 341, 323, 379, 498(A), 506, 504, 34 of the Indian Penal Code and under section 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim in association with his family members for non-fulfillment of demand of dowry and of ousting her out of the matrimonial house.

It is submitted by learned counsel for the petitioner that



petitioner is an innocent person and has committed no offence. Petitioner has never made any torture upon the victim and has been falsely implicated in the present case due to grudge. He has never made any dowry demand from the informant. 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.*** It is submitted that the petitioner is still ready and willing to keep his wife with full honour and dignity.

Learned counsel for the O.P. No.2 has submitted that the O.P. No.2 is ready to live with the petitioner, provided she is not tortured.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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. 106 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 Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Anjani Kumar Sharan, J)

Shahnawaz/-

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