

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66153 of 2021

Arising Out of PS. Case No.-46 Year-2021 Thana- MAHILA P.S. District- Patna

Rakesh Kumar Son Of Ram Ekbal Baitha Resident Of Village - Kachahari Pur, P.S. - Sonbarsa, Dist. - Sitamarhi, At Present Posted As Block Cooperative Extension Officer, Lakhsaur, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bharti Kumari Daughter of Shri Amrendra Kumar, Wife of Shri Rakesh Kumar At present Resident of - Opposite St. Kairens High School, Gola Road, P.S. - Danapur, District - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rajesh Kumar Mishra
For the Opposite Party/s :	Mr. Kamal Kishore Kumar
	Mr. Amrendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-05-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 323, 498A, 504, 34 of the Indian Penal Code and Section 3 and 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. 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 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.46/2021, 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 one time settlement.

(Anjani Kumar Sharan, J)

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