

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3317 of 2023

Arising Out of PS. Case No.-795 Year-2021 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

MD TAIYAB Son of Khushdil R/V and P.O- Bathuya Buzurg, P.S-
Musharigharari, Dist- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Najrana Khatun Wife of Md Taiyab R/V and Post- Bathuya Buzurg, P.S-
Musharigharari, Dist- Samastipur at present Daughter of Md Mustakim, R.V
and post- Lohagir, P.S- Ujiyarpur, Dist- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Surya Narayan Roy, Advocate
For the State	:	Mr. Sanjay Kumar Sharma, APP
For O.P. No.2	:	Mr. Pramod Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-07-2023 Heard learned counsel for the petitioner, learned counsel
for the opposite party no.2 and learned APP for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498(A) of the
Indian Penal Code and Section 4 of the Dowry Prohibition Act.

3. 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.

4. 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. 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*.

5. 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 Complaint Case No.795 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

6. 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 Centre for the purpose of reconciliation or for one time settlement.

7. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

S.KUMAR/-

U		T	
---	--	---	--

