

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4356 of 2023

Arising Out of PS. Case No.-459 Year-2021 Thana- MANER District- Patna

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Deepak Kumar @ Dipak Kumar Son of Sri Manika Ray R/o Mohalla New
Etwarpur, Lalu Path, P.S.- Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Amrita Kumari, D/o Radheyshyam Rai, Wife of Deepak Kumar, R/o
Byapur, P.S. Maner, District Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Udbhav, Advocate
For the State : Ms. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Vide order dated 10.02.2023, notice was issued to
O.P. No.2. The office has reported that ordinary notice has been
received by O.P. No.2 personally, but today nobody appears on
behalf of O.P. No.2.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
506, 379, 498(A) and 34 of the Indian Penal Code and Sections
3/4 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. 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 Maner P.S. Case No.459 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

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.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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