

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7616 of 2023

Arising Out of PS. Case No.-167 Year-2021 Thana- ASHTHAWAN District- Nalanda

MD. ABUNASAR ALI @ MD. ALI ABUNASAR Son of Md. Serajuddin
Kuraisi @ Serasuddin Resident of Shahi Mohalla, P.S.- Arwal, District- Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arbi Khatoon @ Boaby Wife of Md. Abunasar Ali @ Md. Ali Abunasar,
D/O Alam Kuraisi Resident of Village- Ugawa, P.S.- Asthawan, District-
Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Anil Kumar, Adv.
For the Opposite Party/s	:	Mr.Upendra Kumar, APP. Mr. Hansraj, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 27-06-2023 Heard learned counsel for the petitioner, learned counsel for
the opposite party no.2 and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for
the offences punishable under Sections 341, 323, 498(A), 506/34
of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Petitioner, who is husband of opposite party no2., is said to
have tortured upon her physically and mentally and ousted her
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*. It is further submitted that the petitioner is ready to keep her with full honour and dignity.

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 Asthawan P.S. Case No. 167 of 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 Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Anjani Kumar Sharan, J)

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