

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7866 of 2023

Arising Out of PS. Case No.-683 Year-2021 Thana- PATRAKARNAGAR District- Patna

PRABHAT KUMAR Son of Late Shiv Bhushan Prasad R/o Suman Villa,
Mahatma Gandhi Nagar, Buddha Dental College, Kanti Factory Road, P.S.-
Partrakar Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. BOTTA JOSHNA ANAND Wife of Prabhat Kumar R/o Sri Sai Sadan, 6-10
Plot No. 23, Ayodya Nagar Colony, near Jan Priya Apartment, Meerpet, P.S.
Saroor Nagar, District K.V. Ranga Reddy, Telangana, 500097.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Prabhat

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioner and learned
APP for the State. Though notice has validly been served upon
O.P. No.2, but today nobody appears on her behalf.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 498(A) and 406 of the
Indian Penal Code.

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 Patrakar Nagar P.S. Case No.683 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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