

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10256 of 2023

Arising Out of PS. Case No.-485 Year-2021 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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RAHUL YADAV Son of Bhikhari Yadav R/V- Ahirani Tola, PS- Bagaha,
Dist- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rekha Devi Wife of Rahul Yadav , Daughter of Narayan Yadav R/o Gurwaliya, P.S- Bagaha Dist- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Vijay Kr Singh No. 1, Advocate
For the State	:	Ms. Asha Kumari, APP
For O.P. No.2	:	Mr. Arvind Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-07-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 379 and 498(A) of the Indian Penal Code and Sections 3/4 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. Taking into consideration the facts aforesaid, 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.485 of 2021, giving rise to Trial No.4705 of 2022, 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)

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