

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13295 of 2023

Arising Out of PS. Case No.-74 Year-2016 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

MD. LAL BABU @ LAL BABU @ ARMAN KHAN Son of Md. Nasir
Darzee R/v- Pastan, P.S.- Andharatharhi, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. LADLI KHATUN Wife of Lal Babu @ Arman Khan, D/o Md. Isha R/v-
Satghara, Chatti Road, Rajnagar, P.S.- Rajnagar, District- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-09-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. Vide order dated 12.05.2023, notice was sent to the
O.P. No.2 and as per the service report, the said notice has been
received personally by the O.P. No.2 but nobody appears on her
behalf.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 323, 379
and 498A of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act.

4. Petitioner, who is husband of opposite party no2., is
said to have ousted the opposite party no.2 from her



matrimonial home in association of his family members over the dowry demand.

5. 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. He is still ready to keep her with full honour and dignity. 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**.

6. 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 C.R. Case No.74 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

7. 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 Center for the purpose of
reconciliation or for one time settlement.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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