

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13550 of 2023

Arising Out of PS. Case No.-1192 Year-2018 Thana- BUXAR COMPLAINT CASE District-
Buxar

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VISHAL KUMAR YADAV @ VISHAL KUMAR SON OF JAGDISH
YADAV R/O VILLAGE- AMRITPALI, P.S.- KOTWALI BALLIA,
DISTRICT- BALLIA (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. SINDHU KUMARI WIFE OF VISHAL KUMAR YADAV @ VISHAL
KUMAR R/O VILLAGE- AMRITPALI, P.S.- KOTWALI BALLIA,
DISTRICT- BALLIA (U.P.) AT PRESENT R/O VILLAGE AND P.O.-
CHAKKI LAKSHMAN DERA, P.S.- BARAHAMPUR, DISTRICT-
BUXAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dr. Kamal Deo Sharma
For the Opposite Party/s	:	Mr. Rabindra Kumar
For the O.P. No.2	:	Mr. Jeetendra Narayan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 24-06-2023 Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned APP for the
State.

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

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.

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**.

Vide order dated 29.04.2023, with consent of both the parties, the matter was referred to learned Mediator, Patna High Court to settle the dispute between the parties amicably. The matter has been settled as per the terms and conditions as enumerated in the report of the learned Mediator.

It is submitted on behalf of the petitioner that on 18.05.2023, while signing the memorandum of agreement, it was orally agreed between the parties that the opposite party will come at Buxar and therefrom she will go with the petitioner at her matrimonial home but she did not come at the specified place and time.

Learned counsel for the opposite party no.2 does



not dispute the aforesaid fact.

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 Complaint Case No.1192 (C)/2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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