

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13666 of 2023

Arising Out of PS. Case No.-246 Year-2016 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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SHIV SAFI @ SHIV BAITHA SON OF LATE CHALITAR SAFI R/O
VILLAGE- PACHHARI, P.S.- BIRAUL, DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

1. The State of Bihar
2. BINA DEVI WIFE OF SHIV SAFI @ SHIV BAITHA, D/O GONAR SAFI
R/O VILLAGE- PACHHARI, P.S.- BIRAUL, DISTRICT- DARBHANGA,
PRESENTLY RESIDING IN VILLAGE- SINGHIA, P.S.- SINGHIA,
DISTRICT- DARBHANGA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Vinay Kumar Mishra, Adv.
For the Opposite Party/s :	Mr.Uday Pratap Singh, APP.
	Mr. Girish Chandra Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 04-07-2023 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 147,
498(A), 323, 341, 504 and 379 of the Indian Penal Code.

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 Complaint Case (CR) No. 246 of 2016, 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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