

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16253 of 2023

Arising Out of PS. Case No.-137 Year-2022 Thana- BASOPATTI District- Madhubani

GOVIND PURBEY @ GOBIND PURBEY Son of Raghunath Purbey
Resident of Village - Chacharaha, P.S.- Basopatti, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kajal Kumari Daughter of Jaynarayan Purbey Resident of village - Chacharaha, P.S.- Basopatti, District - Madhubani. At present resident of village - Jainagar Basti, Brahman Tol, P.S.- Jainagar, District - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Prabhakar Thakur
For the Opposite Party/s :	Mr. Md. Fahimuddin
	Mr. Shailendra Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 08-09-2023 Heard learned counsel for the petitioner, learned counsel for the opposite party no.2 and learned APP for the State.

2. Vide order dated 18.05.2023, this matter was referred to Mediation Centre, Patna High Court but as per the report of the learned Mediator kept at Flag 'N' it appears that the dispute between the parties could not get resolved through the process of Mediation.

3. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 379, 498A and other allied Sections 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. There is no specific overt act against the petitioner. He further submits that the petitioner is ready to keep his wife i.e. the O.P. No.2 in a separate house but she is not ready to live with the petitioner. Petitioner has no criminal antecedent.

6. Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for grant of anticipatory bail.

7. Considering the facts and circumstances of the case as there is no specific overt act against the petitioner, 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
Basopatti P.S. Case No.137 of 2022, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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