

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17839 of 2023

Arising Out of PS. Case No.-430 Year-2021 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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ABHISHEK KUMAR S/O Lalan Singh R/O Pokhrama, P.S- Kajra, District-
Lakhisarai. Petitioner/s

Versus

1. The State of Bihar
2. Nootan Kumari W/o Abhishek Kumar R/o village and P.O.- Pokhrama, P.S.-
Kajra, Distt.- Lakhisarai, at present D/o Ranjit Kumar Resident of Rebra,
P.O.- Bauri, P.S.- Kashichak, Distt. Nawada. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd. Singh
For the Opposite Party/s : Mr. Ajay Kumar No.2
For the O.P. No.2 : Mr. Pankaj Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 03-07-2023 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.

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. 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**. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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.430 of 2021, 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 learned Court below for referring the matter to the District Mediation Center for the purpose of reconciliation or for one time settlement.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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