

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19829 of 2023

Arising Out of PS. Case No.-180 Year-2021 Thana- COMPLAINT CASE District- Lakhisarai

Shivshankar Gupta S/O Ramchandra Saw R/O Village- Belchhi, P.S- Ariyari,
Distt. Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Devi W/O Shivshankar Gupta Village- Chhoti Kabaiya, Ward No. 27,
P.S- Kabaiya, Distt.- Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Bilochan

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-11-2023 Heard learned counsel for the parties.

2. From perusal of the office notes, it appears that the notice has been received by the opposite party no. 2 but nobody appears on her behalf.

3. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A, 323, 504/34 of the Indian Penal Code.

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. 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 anticipatory 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. 180C of 2021, 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 one time settlement.

(Anjani Kumar Sharan, J)

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