

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20978 of 2023**

Arising Out of PS. Case No.-482 Year-2014 Thana- SASARAM NAGAR District- Rohtas

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GUPTESHWAR MAHTO @ GUPTESHWAR MEHTO S/O LATE KUWAR  
MAHTO Resident of village- Patluka, P.S.- Tilauthu, District- Rohtas.

... .. Petitioner/s

Versus

1. STATE OF BIHAR
2. CHAMPA DEVI W/O GUPTESHWER MAHTO Resident of village-  
Patluka, P.S.- Tilauthu, District- Rohtas and Presently residing at w/o Ram  
Pravesh Singh Resident of Village- Shivpur, P.S.- Tilauthu, District- Rohtas.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nawal Kishor Singh, Advocate  
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      30-10-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. Vide order dated 19.05.2023, notice was issued to  
opposite party no.2 and as per the office report, the same has  
been validly served upon her but none is present on her behalf.

3. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Section 341, 323,  
498A and 379/34 of the Indian Penal Code and Section 3/4 of  
the Dowry Prohibition Act.

4. Petitioner, who is husband of opposite party  
no.2., 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 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 Tilauthu P.S. Case No.482 of 2014, 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 for one time settlement.

8. Accordingly, this application stands disposed of.

**(Anjani Kumar Sharan, J)**

Trivedi/-

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