

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26936 of 2022

Arising Out of PS. Case No.-193 Year-2021 Thana- ALAMNAGAR District- Madhepura

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AMIT KUMAR @ AMIT RAJ SON OF SHRI VIRENDRA KUMAR
MANDAL R/O MOHALLA- SHASTRINAGAR, BACK OF KALA
BHAVAN, MADHUBANI, P.S.- K.HAT, DISTRICT- PURNIA

... .. Petitioner/s

Versus

1. The State of Bihar
2. SMT. NEHA KUMARI WIFE OF AMIT RAJ, D/O- SHAIENDRA
SINGH R/O VILLAGE- TILAKPUR, P.S.- ALAMNAGAR, DISTRICT-
MADHEPURA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar
For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 31-01-2023

Re.: I.A. No.1 of 2023

The aforesaid interlocutory application has been filed on behalf of the petitioner to bring on record certain relevant facts.

It is stated that the brother and mother has refused to receive the notices. Opposite party no.2 has also refused to receive the notice. It is further stated that opposite party no.2 is living at her maternal house with her parents along with brother. It is also stated that opposite party no.2 has solemnized marriage to one Dharmendra Kumar on 02.08.2022 and living with him.

In my view, the petitioner ought to have filed a supplementary affidavit but, on wrong advice, he has filed the



aforesaid I.A.

I.A. stands disposed of.

Cr. Misc. No.26936 of 2022

Heard learned counsel for the parties on the bail application.

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

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. He is still ready to keep her with full honour and dignity. 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**.



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 Alamnagar P.S. Case No.193 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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