

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36507 of 2021**

Arising Out of PS. Case No.-32 Year-2021 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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RAJESH KUMAR Son of Ramji Chouhan Resident of Village - Ekangar Dih,
P.S.- Ekangar Sarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Poonam Devi W/o Rajesh Kumar, D/o Kanchan Prasad At Present Resident of Village - Panhar, P.S.-Khudaganj, Distt.- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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

7 04-07-2023 **Re:- I.A. No.01 of 2023**

This Interlocutory application has been filed for showing the jointness of the O.P. No.2 with the father of the O.P. No.2.

It is stated at para-3 of the application that the notice was received by the father of the O.P. No.2 and the O.P. No.2 is presently residing with her father on the joint mess.

In that view of the matter, the notice is deemed to be validly served upon the O.P. No.2.

I.A. No.01 of 2023 is disposed of.

Re:- 36507 of 2021

Heard learned counsel for the petitioner and learned APP for the State.



The petitioner apprehends his arrest in a case registered u/s 341, 323, 326, 498(A), 504/34 of the IPC and sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of demand of dowry.

It is submitted by learned counsel for the petitioner that petitioner is an innocent person and has committed no offence. Petitioner has never made any dowry demand and has been falsely implicated in the present case due to grudge. 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*. It is submitted that the petitioner is ready and willing to keep his wife with full honour and dignity.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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.32C/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 Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Anjani Kumar Sharan, J)

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