

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32110 of 2022

Arising Out of PS. Case No.-753 Year-2019 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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TARKESHWAR MISHRA @ MANTU MISHRA S/o Rajeshwar Mishra
Resident of Village- Shastri Nagar Ward No.-14, P.S.- Bagaha, District- West
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Resjeshwar Choubey S/o Lal Babu Choubey Resident of Village-
Manjhariya, P.S.- Bhairoganj, District- West Champaran.
3. Ranjeeta Kumari, D/o Rajeshwar Choubey, Resident of Village Manjhariya,
P.S. Bhairoganj, District West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Milind Kumar Mishra, Advocate
For the State	:	Mr. Ram Naresh Ray, APP
For O.P. No.2	:	Mr. Om Prakash, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 23-06-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 323 and 498(A) of the
Indian Penal Code.

Petitioner, who is husband of opposite party no.3, is said
to have ousted the opposite party no.3 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***.

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.C 753 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

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 Centre for the purpose of reconciliation or for one time settlement.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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