

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35897 of 2023

Arising Out of PS. Case No.-74 Year-2022 Thana- MAHILA P.S. District- Saran

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VIVEK TIWARI @ VIVEK SON OF LATE KASHINATH TIWARI
RESIDENT OF VILLAGE- MEHRAULI, PS- DORIGANJ, DISTT- SARAN

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. SMT. ANKITA KUMARI DAUGHTER OF ABDHESH KUMAR MISHRA, RESIDENT OF VILLAGE- SADHA, KHEMJI TOLA, PS- CHAPRA MUFFASIL, DISTT- SARAN

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Shekhar Tiwary
For the Opposite Party/s : Mr.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-07-2023 Heard learned counsel for the parties.

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

3. 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.

4. 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.

5. 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 Mahila P.S. Case No.74 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

6. 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.

7. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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