

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33154 of 2023

Arising Out of PS. Case No.-1061 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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ROHIT KUMAR SON OF RAM VINOD CHOUDHARY R/O Village- P.O.
and P.S.- Matihani, District-Begusarai

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. ANSHU PRIYA RAI D/O ANIL RAI R/O Lohiya Nagar, Ward no. 28, P.S.-
Town (Lohiya Nagar OP), District-Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Shubham Sourav
For the Opposite Party/s :	Mr. Sanjay Kumar Tiwary
	Mr. Sandip Kumar Gautam

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner, learned counsel
for the opposite party no.2 and learned APP for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 498A of the Indian
Penal Code and Section 3 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 further submits that earlier the petitioner had filed a divorce case bearing Case No.29 of 2020 in the learned Family Court, Begusarai, thereafter the present case has been filed by the O.P. No.2. 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**.

Learned counsel for the informant/complainant as well as learned APP for the State oppose the prayer for bail. It is submitted by learned counsel appearing on behalf of the informant/complainant that the petitioner has demanded dowry from the guardians of the O.P. No.2 and has also tortured her.

Considering the facts and circumstance of the case, 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.1061(c) of 2022, 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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