

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34305 of 2023

Arising Out of PS. Case No.-3076 Year-2022 Thana- SARAN COMPLAINT CASE District-
Saran

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UPENDRA KUMAR S/O MADAN PRASAD R/O Village- Karanpura
Mathiya, P.S.-G.B Nagar Talwara, Dist.-Siwan

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. PUJA KUMARI W/O UPENDRA KUMAR R/O Village-Karanpura
Mathiya, P.S.- G.B Nagar Talwara, Dist.- Siwan. At present D/O Sanjay
Kumar, R/O Village-Shripal Basant, P.S.-Gadkha, Dist.-Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Rabindra Kumar Tiwari
For the Opposite Party/s :	Mr. Arun Kumar
	Mr. Ajit Kumar Singh

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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 323, 341, 498A, 307,
504/34 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 Complaint Case No.3076 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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