

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34967 of 2023

Arising Out of PS. Case No.-384 Year-2022 Thana- DIGHA District- Patna

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DURGESH KUMAR DEEP @ DURGESH DEEP Son of Awadh Bihari Sah
Resident of Dighwa Dubauli, Bidya Nagar, P.S. - Baikunthpur, Distt. -
Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar and Ors Bihar
2. Shipra Kumari D/o of Om Prakash, Wife of Durgesh Kumar Deep @
Durgesh Deep Residing at Balu Par, Kurji, P.S. - Digha, Distt. - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma
For the Opposite Party/s : Mrs. Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner apprehends his arrest in a case registered for
the offences punishable under Section 341, 323, 498A, 504, 506,
509/34 of the Indian Penal Code.

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 submits that the O.P. No.2 has earlier filed similar nature of



cases against the petitioner, which is mentioned in para-3 of the bail application. 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 Digha P.S Case No.384 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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