

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36320 of 2023

Arising Out of PS. Case No.-491 Year-2021 Thana- SONEPUR District- Saran

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BANTI PRASAD @ BANTY PRASAD Son of Late Lalbabu Prasad
Resident of Muhalla - Sukanto Palli Durgapur 713207 (T.D.P.S.), Distt. - West
Vardhman (West Bengal)

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sujata Kumari @ Sujata Devi Wife of Banti Prasad @ Banty Prasad, D/o
Ranendra Narayan Singh Resident of village - Kharika, P.S. - Sonepur, Distt.
- Saran at Chapra

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar
For the Opposite Party/s : Mr. Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-07-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 34, 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. 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.

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. 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.**

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 Chapra Sonapur P.S. Case No.491 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

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

7. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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