

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36274 of 2023**

Arising Out of PS. Case No.-1273 Year-2021 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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GAJENDRA TIWARI @ CHHOTU TIWARI Son of Late Vadri Tiwari
Resident of Village - Kayam Nagar, P.S.- Koilwar, District - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Anjana Devi Wife of Gajendra Tiwari D/o Dev Bahal Tiwari, Resident of Village - Kayam Nagar, P.S.- Koilwar, District - Bhojpur. At Present Resident of Village - Sinha, P.S.- Barahara, District - Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar Shrivastava
For the Opposite Party/s : Mrs. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-07-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498A, 323, 379 of the Indian Penal Code.

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 further submits that the petitioner had filed a matrimonial case bearing No.154 of 2019 under Section 11 of the Hindu Marriage Act in the learned Family Court, Ara, thereafter the informant/complainant has filed the present case against the petitioner. 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 Complaint Case No.1273(C) 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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