

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36688 of 2023

Arising Out of PS. Case No.-225 Year-2020 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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NAND LAL THAKUR S/O Dwarika Thakur R/O Village- Kalwari,
Majhariya, P.S- Adapur, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rita Devi W/O Nand Lal Thakur R/O Village- Kalwari, Majhariya, P.S-
Adapur, Distt.- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Adv.

For the Opposite Party/s : Mr.Bharat Lal, APP.

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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
A.P.P. for the State.

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

3. Petitioner, who is husband of opposite party no2., is
said to have tortured upon her physically and mentally and
ousted her 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. There is no specific overt act against the petitioner. The marriage was solemnized between the parties about 24 years ago, therefore, no allegation of dowry demand is attributed 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.*** It is further submitted that the petitioner is ready to keep her with full honour and dignity.

5. In that view of the matter, as there is no specific allegation against the petitioner, 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. 225 of 2020, 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 Court below for referring the



matter to the District Mediation Centre for the purpose of
reconciliation or one time settlement.

(Anjani Kumar Sharan, J)

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