

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40608 of 2023**

Arising Out of PS. Case No.-2287 Year-2019 Thana- SAMASTIPUR COMPLAINT CASE  
District- Samastipur

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PANKAJ JHA S/o- RAMCHANDRA JHA Village- Udaypur Ram Akhtiarpur  
Ps- Saraiganj Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Kumari wife of Pankaj Jha R/o- Udaypur Ram Akhtiarpur Ps- Saraiganj Dist- Samastipur At Present- Hariharpur Khandhi Ps- Khanpur Dist- Samastipur

... .. Opposite Party/s

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**Appearance :**

|                            |                                 |
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| For the Petitioner/s :     | Mr.Sanjeeb Kumar Sanju, Adv.    |
| For the Opposite Party/s : | Mr.Mritunjay Kumar Nirala, APP. |
|                            | Mr. Pankaj Kumar, Adv.          |

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      11-09-2023      Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498(A) of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act.

3. All the F.I.R. named accused persons including this petitioner, on non-fulfillment of demand of dowry, in furtherance of the common intention are said to have tortured the complainant physically and mentally and in this regard, a Panchayati was held on 03.12.2019, but the accused persons did not accept the Panchayati and refused to keep the



complainant with dignity and honour.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. He has neither made any dowry demand nor tormented her over the demand of dowry. The allegation levelled against the petitioner is totally false and based on concocted facts. It is further submitted that in compliance of order dated 02.08.2023, the brother of the petitioner went for *Bidai* of the complainant, but she refused to come with him, which is also mentioned in Para 4 of the supplementary affidavit. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant oppose the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the brother of the petitioner went for *Bidai* of the complainant, but she refused to come with him, 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 C.R. No. 2287 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. 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.

**(Anjani Kumar Sharan, J)**

divyanshi/-

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