

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42412 of 2023

Arising Out of PS. Case No.-508 Year-2022 Thana- PIRO District- Bhojpur

VIJAY KUMAR @ VIJAY RAJ KUNWAR @ VIJAY RAJ KUMAR Son of
Amrendra Kumar @ Algu Kunwar R/o village - Dumri, P.S.- Simri, District -
Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sinku Kumari Wife of Vijay Kumar @ Vijay Kunwar @ Vijay Raj Kumar
D/o Late Ram Nivas Ray, R/o village - Jamuaon, P.S.- Piro, District -
Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 07-11-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The notice has validly been served upon the opposite
party no.2, but nobody appears on her behalf.

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

4. Petitioner, who is husband of opposite party no2., is said
to have tortured upon her physically and mentally in association of
his family members over the dowry demand.

5. 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. 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.

6. 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 Piro P.S. Case No. 508 of 2022, 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 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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