

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42291 of 2023

Arising Out of PS. Case No.-634 Year-2021 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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BALBEER KUMAR SON OF LATE PARSHURAM SINGH RESIDENT OF
VILLAGE- MATHURAPUR, PS- RAHUI, DISTRICT- NALANDA

... .. Petitioner/s

Versus

1. The State of Bihar
2. PRITI KUMARI WIFE OF BALBEER KUMAR RESIDENT OF
VILLAGE- MATHURAPUR, PS- RAHUI, DISTRICT- NALANDA. AT
PRESENT- D/O RADHA RAMAN PRASAD SINGH, RESIDENT OF
MAGADH COLONY, PS- SOHSARAI, DISTRICT- NALANDA AT
BIHARSHARIF

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Bansh Dubey, Adv.
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-11-2023 Heard Mr. Raj Bansh Dubey, learned counsel for the
petitioner and Mr. Dilip Kumar No.1, 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),
323, 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 and this fact is also mentioned in para 14 of the bail application. Petitioner has no criminal antecedent.

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 Complaint Case No. 634C of 2021, 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)

divyanshi/-

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