

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46462 of 2022

Arising Out of PS. Case No.-1022 Year-2019 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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NEERAJ RAI SON OF CHANDRA BHUSHAN ROY @ SHAMBHU ROY
R/O VILLAGE- SASAN P.O.- SASAN, P.S.- HASANPUR, DISTRICT-
SAMASTIPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. MANISHA KUMARI D/O RAMCHANDRA SINGH W/O SRI NEERAJ
RAI RESIDENT OF NEW COLONY WARD NO.-09, P.S. AND
DISTRICT- SAHARSA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Adv.
For the Opposite Party/s : Mr. H.A. Khan, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 27-02-2023 Heard the parties.

Despite valid service of notice, nobody appears on
behalf of the Opposite Party No.2.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 323,
324, 498(A), 379, 494 of the Indian Penal Code and ¾ of
Dowry Prohibition Act.

Petitioner, who is husband of opposite party no2., is
said to have tortured upon her physically and mentally over
the dowry demand.

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 opposite party no.2 is a working lady. She is working as ANM at Saharsa. 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.

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. 1022 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,



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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