

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55602 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- OBRA District- Aurangabad

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VIKASH PANDEY S/O Mahendra Pandey R/O Village- Simri Dhamni, P.S.-
Mali, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Devi D/O- Ravindra Sharma R/O Village- Chapuk, P.O.- Kurwan,
P.S.- Goh, District- Aurangabad at presently residing at Village-
Obra(Ekauna House), P.S.- Obra, District- Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Onkar Nath
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-02-2023 Heard learned counsel for the petitioner and learned APP
for the State.

Despite valid service of notice, nobody appears on behalf
of O.P. No.2.

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

Petitioner, who is husband of opposite party no.2., is said
to have assaulted and tortured the opposite party no.2 in
association of his family members 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 the petitioner is unemployed whereas the informant is employed as Data Entry Operator in Obra. 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**.

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 Obra P.S. Case No.46 of 2022 (G.R. No.109 of 2022), 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 learned Court below for referring the matter to the District Mediation Center for the purpose of



reconciliation or for one time settlement.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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