

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60322 of 2022

Arising Out of PS. Case No.-210 Year-2019 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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SAROJ KUMAR YADAV @ SANOJ KUMAR Son of Late Suraj Lal Singh
@ Bhuj Lal Yadav Resident of Village- Dilawarpur, P.S.- Haspura, District-
Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinku Kumari Wife of Saroj Kumar Yadav Resident of Village- Dilawarpur,
P.S.- Haspura, District- Aurangabad, At present Rinku Kumari, R/V- Jadu
Bigha, P.S.- Haspura, District- Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Chandra Bhaskar, Adv.
For the Opposite Party/s : Mrs.Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-02-2023 Heard learned counsel for the petitioner and learned APP
for the State.

Office points out that A/D received showing O.P. No.2
refused to receive the notice.

Accordingly, notice served upon O.P. No.2 is hereby
deemed to be validly served.

The petitioner apprehends his arrest in a case registered
u/s 498(A)/386 of the IPC and sections 3/4 of Dowry Prohibition
Act.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfillment of demand of dowry.



It is submitted by learned counsel for the petitioner that petitioner is an innocent person and has committed no offence. Petitioner has never made any dowry demand and has been falsely implicated in the present case due to grudge. It is submitted that earlier a complaint case No.11/2014 was filed by the complainant against the petitioner and the petitioner was discharged for charges and again she has lodged the present case against the petitioner. 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 submitted that the petitioner is ready and willing to keep his wife with full honour and dignity.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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.210/2019, 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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