

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59910 of 2022

Arising Out of PS. Case No.-71 Year-2022 Thana- BARIYARPUR District- Munger

Subodh Kumar Mandal Son Of Sipahi Mandal R/V- Chhoti Alalpur,
Raghopur, Bhagalpur, P.S.- Parbatta, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kamna Kriti D/O- Narad Prasad Sharma R/O- Raghunathpur, P.O.-
Kalyanpur, P.S.- Bariyarpur, District- Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-03-2023

Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 494, 504, 506 and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Petitioner, who is husband of opposite party no2., is said to have ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand.

Learned counsel for the petitioner has filed a supplementary affidavit in which he has stated that the wife of the petitioner (opposite party no.2) is in Government Job posted as A.N.M. in Primary Health Centre, Khuriyal under Azam Nagar Block, Sub-Division-Barsoi, District-Katihar.

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 is still ready to keep her with full honour and dignity. 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 Bariyarpur P.S. Case No. 71 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 one time settlement.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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