

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60772 of 2019

Arising Out of PS. Case No.-1014 Year-2018 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Santosh Kumar Jha @ Santosh Jha Son Of Shree Narayan Jha Resident Of
Village - Jhakhara, P.S.- Sarairanjan, District – Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gita Devi Daughter of Shiv Shankar Chaudhary Resident of Village -
Lagunia Samarkhata, P.S.- Samastipur, District - Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh
For the Opposite Party/s : Mr. Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 27-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner submits that the
Vakalatnam has already been filed on behalf of the opposite
party no. 2 but nobody appears on her behalf.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498A of
the Indian Penal Code.

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.



It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and has committed no offence. There is general and omnibus allegation levelled against the petitioner. 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 anticipatory 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. 1014 of 2018, T.R. No. 3098 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 learned Court below for referring



the matter to the District Mediation Center for the purpose of
reconciliation or one time settlement.

(Anjani Kumar Sharan, J)

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