

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73596 of 2022**

Arising Out of PS. Case No.-136 Year-2022 Thana- PURNIA COMPLAINT CASE District-  
Purnia

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1. Gopal Talukdar S/O Late Bagmali Talukdar R/O College Para, Ward No. 24, P.S.- Raiganj, Distt- Uttar Dinajpur(West Bengal).
  2. Gourav Talukdar S/O Gopal Talukdar R/O College Para, Ward No. 24, P.S.- Raiganj, Distt- Uttar Dinajpur(West Bengal).

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Bina Talukdar W/O Gopal Talukdar R/O College Para, Ward No. 24, P.S.- Raiganj, Distt- Uttar Dinajpur(West Bengal). At Present Residing At Basant Bihar, Neva Lal Chowk, Near Global Public School Towards East, P.S.- Marange, Distt- Purnea (bihar).

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Surya Narayan Sah  
For the Opposite Party/s : Mr.Sunil Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      24-03-2023                      Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498(A), 323 and 406 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Petitioner no. 1, who is husband of opposite party no2., and petitioner no.2 is the son of opposite party no.2 are 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 submits that the petitioners are an innocent person and has committed no offence. He submits that the complaint petition itself disclosed that the marriage was solemnized 34 years ago and the demand of dowry after 34 years does not inspire confidence into prosecution version. Petitioners have neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. They are still ready to keep her with full honour and dignity. Learned counsel for the petitioners 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 petitioners, be released on bail, in the event of their 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) each 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. 136 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)**

anand/-

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