

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74902 of 2022

Arising Out of PS. Case No.-330 Year-2022 Thana- GAYA MUFASIL District- Gaya

ABHAY KUMAR Son of Late Khaderan Choudhary Resident of village - Saraiya, P.S.- Muffasil, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari Daughter of Arvind Choudhary Wife of Abhay Kumar, Resident of village - Saraiya, P.S.- Muffasil, District - Gaya, Presently Resident of village - Jolah Bighaha, Post - Aima Chouki, P.S.- Khijar Sarai, District - Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar, APP.

Mr. Manish Kumar No.2, Adv.

Mr. Gajendra Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-03-2023 Heard learned counsel for the petitioner, learned counsel for the opposite party no.2 and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498(A)/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Petitioner, who is husband of opposite party no.2., is said to have tortured upon her physically and mentally 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. 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 further submitted that the petitioner is ready to keep her with full honour and dignity.

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 Muffasil P.S. Case No. 330 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 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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