

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.735 of 2023

Arising Out of PS. Case No.-864 Year-2021 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Ritesh Prajapati Son Of Sri Sudama Prajapati R/O Vill.- Mahesua, P.S.-
Bhabua, Distt.- Kaimur (Bhabua). Petitioner/s

Versus

1. The State of Bihar
2. Jamitar Devi Daughter Of Shiv Shankar Prajapati At Present R/O Vill.-
Nandgaow, P.S.- Chainpur, Distt.,- Kaimur (Bhabua)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Kumar

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 24-08-2023 Heard learned counsel for the petitioner and learned

APP for the State. Although an appearance has been made on
behalf of opposite party no.2, but in spite of repeated calls, none
appeared on her behalf.

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

3. 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.

4. 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**.

5. 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 Bhabhua (Kaimur) Complaint Case No.864/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

6. 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.

7. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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