

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1390 of 2023

Arising Out of PS. Case No.-84 Year-2020 Thana- MAHILA PS District- Buxar

MRITYUNJAY TIWARI Son of Bholanath Tiwari R/v- Tiwari-ke-Melaki,
Chakgiridhar, P.O.- Bariya, P.S.- Bariya, District- Baliya, Uttar Pradesh

... .. Petitioner/s

Versus

1. The State of Bihar
2. SUNITA DEVI D/o Devmuni Dubey, W/o Mrityunjay Tiwari R/v- Deokuli,
P.S.- Brahmpur, Dist- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kr. Pandey

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-02-2023

Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 379 and 504/34 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.

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 Buxar(M) P.S. Case No. 84/2020, 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)

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