

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4505 of 2024

Arising Out of PS. Case No.-348 Year-2022 Thana- MALSALAMI District- Patna

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NARESH KUMAR S/O LATE SUNIL KUMAR R/O MANSOORGANJ,
P.S- MALSALAMI, DISTT.- PATNA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SHIVANI KUMARI W/O NARESH KUMAR, D/O GOPAL PRASAD R/O
MOHALLA- GAWAL TOLI NEAR THANA LANE, P.O- MAHENDRU,
P.S- SULTANGANJ, DISTT.- PATNA.- 800006.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Adil Abbas, Adv.

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 504, 506, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of opposite party no2., is said to have tortured upon her physically and mentally and tried to kill her 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



tormented her over the demand of dowry. All the allegation levelled against the petitioner is totally false and based on concocted facts. The real fact is that the informant does not want to live in her matrimonial house with her in-laws and husband. It is further submitted that prior to the present case, both the parties had filed Divorce petition with mutual consent bearing Matrimonial Case No. 320 of 2023, but later on, she denied for the same and filed this false case against the petitioner. There is no allegation against the petitioner to tamper the evidence. He has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. 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 Malasalami P.S. Case No. 348 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. 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.

(Anjani Kumar Sharan, J)

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