

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5291 of 2024

Arising Out of PS. Case No.-867 Year-2022 Thana- MANER District- Patna

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Baban Kumar @ Baban Rai Son of Mantu Rai @ Sudarshan Rai Resident of
Village - Sahelichak, P.S.- Maner, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-03-2024

Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 498A 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 ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand.

4. Learned counsel for the petitioner submits that the petitioner is an innocent person and has committed no offence. He submits that the O.P. No. 2 had never led her conjugal right in peaceful manner and she herself left the petitioner's house on her sweet will and she had also tortured



father and mother of the petitioner. 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 no criminal antecedent as mentioned in para-3 of this application.

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 Maner Case No. 867 of 2022, 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 one time settlement.

7. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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