

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5102 of 2024

Arising Out of PS. Case No.-316 Year-2023 Thana- PHULPARAS District- Madhubani

Santosh Kumar Mandal Son Of Bulan Mandal R/O Village- Jagatpur, P.S.-
Phulparas, Dist.- Madhubani

... .. Petitioner/S

Versus

1. The State Of Bihar Patna
2. Shobhita Devi Wife Of Santosh Kumar Mandal And Daughter Of Hira Lal Mandal Presently Residing At Village- Madhopur, P.S.- Laukaha, Dist.- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Adv.

For the Opposite Party/s : Mr. Parmanand Prasad, APP.

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 498A, 504 and 506 of the Indian Penal Code and Section 3/4 of the A.D. Act.

3. Petitioner, who is husband of complainant, is said to have ousted her from the 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. There is no specific overt act against the



petitioner. There is no allegation on petitioner to tampering the evidence. 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**. Petitioner has no criminal antecedent.

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 Phulparas P.S. Case No. 316 of 2023, 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.

(Anjani Kumar Sharan, J)

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