

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10739 of 2024

Arising Out of PS. Case No.-17 Year-2022 Thana- MAHILA PS District- Jamui

Surenbra Yadav @ Sulendra Yadav SON OF AYODHI YADAV RESIDENT
OF VILLAGE- ASARHUA, PS- CHARKAPATHAR, DISTT- JAMUI

... .. Petitioner/s

Versus

1. The State of Bihar
2. KABITA DEVI WIFE OF SULENDRA YADAV RESIDENT OF
VILLAGE- ASARHUA, PS- CHARKAPATHAR, DISTT- JAMUI AT
PRESENT D/O JAGESHAR YADAV, VILLAGE- BARMASIYA, PS-
JHAJHA, DIST- JAMUI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-02-2024 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 Section 498A, 341, 323, 504, 506, 379, 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 ousted her 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. There is no allegation against the petitioner to tamper the evidence. He is still ready to keep her with full honour and dignity but the informant does not want to live with him. 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. Learned APP for the State opposes 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 Jamui Mahila P.S. Case No. 17 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.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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