

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38024 of 2023

Arising Out of PS. Case No.-252 Year-2022 Thana- BARH District- Patna

Nitish Kumar S/O Manoj Das R/O Village- Saichak, Ps. Barh, Dist. Patna
... .. Petitioner/s

Versus

1. The State Of Bihar
2. Priyanka Kumari wife of Nitish Kumar R/O Paijawapur, P.S. Barh, District-
Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap
For the Opposite Party/s : Mr.Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-01-2024 Heard learned counsel for the parties.

2. From perusal of the office notes, it appears that Vakalatnama has already been filed on behalf of opposite party no. 2 but nobody appears on her behalf.

3. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 498A, 504, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

4. 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.

5. 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. 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**.

6. In that view of the matter, let the above named petitioner, be released on anticipatory 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 Barh P.S. Case No. 252 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 one time settlement.

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(Anjani Kumar Sharan, J)

