

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43009 of 2022

Arising Out of PS. Case No.-67 Year-2011 Thana- BAHERA District- Darbhanga

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HARI NATH JHA S/O LATE BALRAM JHA Resident of Village- Korthu,
P.S.- Ghanshyampur, District- Darbhanga. Petitioner/s
Versus

1. The State of Bihar.
2. Yamuna Devi, wife of Harinath Jha, resident of vilalge Korthu, P.S.
Ghanshyampur, District Darbhanga, at present, Yamuna Devi, D/o-
Bishwanath Jha, resident of village Majaura, P.S. Bahera, District Darbhanga.
... .. Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Sameer Ranjan
For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-01-2024 Heard learned counsel for the petitioner and learned

APP for the State but in spite of putting appearance through
vakalatnama none is present on behalf of opposite party no.2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323,
498A, 406, 386 and 120B 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. 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**.

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 Bahera P.S. Case No.67 of 2011, 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 for one time settlement.

7. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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