

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45614 of 2024

Arising Out of PS. Case No.-350 Year-2023 Thana- MAKHDUMPUR District- Jehanabad

Aftab Alam Son Of Azizul Haque Village- Bandetya, P.S.- Makhdumpur In
The District Of Jehanabad

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Sana Praveen Wife Of Md. Aftab Alam And D/O- Md. Samimuddin At
Present Resident Of Village- Makhdumpur Dih, P.S.- Makhdumpur In The
District Of Hehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.
For the Opposite Party/s : Mr. Rana Randhir Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-12-2024 Heard learned counsel for the parties.

2. Learned counsel for the petitioner filed a supplementary affidavit on behalf of the petitioner stating therein that in the above mentioned case notice was issued to the O.P. No. 2 by this Hon'ble Court and the same was received by the brother of the O.P. No.2 and O.P. No.2 is residing with her parents and brother in the same house in jointness at village- Makhdumpur Dih, P.S.-Makhdumpur, Dist-Jehanabad.

3. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A, 341, 323, 324, 379, 506/34 of the Indian Penal Code.

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 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 Makhdumpur P.S. Case No. 350 of 2023, 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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