

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55960 of 2024

Arising Out of PS. Case No.-953 Year-2020 Thana- MADHAURAH District- Saran

Shamim Sai Son Of Sharif Sai R/V- Village- Nathua, P.S.- Gaura O.P.,
Marhowarh, Distt.- Saran

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Munni Devi Wife Of Shamim Sai, D/O- Late Hasmuddin Sai At Present A
Resident Of Village- Mashrakh, Purab Tola, P.S.- Mashrakh, Distt.- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Adv.

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

2. Though vakalatnama has been filed on behalf of the
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,
498A/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 assaulted and ousted the opposite party no.2 from
her matrimonial home 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 Madhaura (Gaura O.P.) P.S. Case No. 953 of 2020, 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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