

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56613 of 2023

Arising Out of PS. Case No.-116 Year-2019 Thana- SARAN COMPLAINT CASE District-
Saran

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PANKAJ KUMAR @ PANKAJ KUMAR SAH son of Parshuram Sah
Village- Godai Pulkahan Tola Bishwanathpur Po- singar PS- Kanti Dist-
Muzaffarpur. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi wife of Pankaj Sah, D/o- Shree Devi Lal Sah Mohalla- Godai
Pulkaha Po- Singar Ps- Kanti Dist- Muzaffarpur P/A R/o- Sikarpur Po-
Talvar Ps- Bheldi Dist- Saran at Chapra

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh
For the Opposite Party/s : Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 15-05-2024 Heard learned counsel for the petitioner and learned

APP for the State but in spite of valid service of notice 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 Section 498A of

the Indian Penal Code and Section 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 Complaint Case No.116/2019, 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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