

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54782 of 2022

Arising Out of PS. Case No.-338 Year-2018 Thana- BISFI (PATAUNA) District- Madhubani

Abdul Kuddus Son of Adul Nazir Resident of Village- Bisfi (Patauna) , P.S.-
Bisfi, District- Madhubani

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sultana Wife of Abdul Kuddus Resident of Village- Patauna, P.S- Biosfi
(Patauna O.P), Dist.- Madhuani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 06-02-2024 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. Learned counsel for the petitioner has filed a
jointness petition in which it is stated that the notice was
received by brother of opposite party no.2 and they are living
jointly in the same house.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
354, 379, 504 & 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 Bisfi (Patauna) P.S. Case No.338 of 2018, 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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