

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61591 of 2023

Arising Out of PS. Case No.-407 Year-2022 Thana- FALKA District- Katihar

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Mohammad Jakir @ Mohammad Zakir @ Md. Zakir Son Of Mohammad Farooque @ Md. Faruk Resident Of Village - Rangra, Police Station - Rangra, District - Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Moni Khatoon Wife Of Mohammad Jakir, D/O. Mustak Presently Residing At Village - Bharsia, Police Station - Falka, District -KATIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Md. Rahmatullah
For the Opposite Party/s :	Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-01-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498A 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 anticipatory 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 Falka P.S. Case No. 407 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

8. 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 one time settlement.

(Anjani Kumar Sharan, J)

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