

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67292 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- MAHILA P.S. District- Bhojpur

NAVIN KUMAR PANDEY Son of Late Nagina Pandey R/o vill - Bhadaura,
P.O. - Dadar, P.S. - Mohania, Distt. - Kaimur (Bhabhua)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prem Balika Kumari D/o Shree Rampyare Mishra R/o vill - Kurra, P.S. - Mohania, distt. - Kaimur (Bhabhua)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Yogendra Kumar Singh, Adv.
For the Opposite Party/s	:	Ms.Sharda Kumari, APP
For the Informant	:	None

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-03-2024 Heard learned counsel for the petitioner and learned APP for the State but despite repeated calls, nobody appears on behalf of the O.P. No.2.

2. The petitioner apprehends his arrest in a case registered u/s 341, 323, 504, 506, 313, 379, 498A/34 of the IPC and $\frac{3}{4}$ of the Dowry Prohibition Act.

3. Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of demand of dowry.

4. It is submitted by learned counsel for the petitioner that petitioner is an innocent person and has committed no offence. Petitioner has never made any dowry demand and has been falsely implicated in the present case due to grudge. 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*. It is submitted that the petitioner is ready to keep his wife with full honour and dignity.

5. Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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 Sadar Mahila P.S. Case No.34/2023, 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 Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Anjani Kumar Sharan, J)

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