

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66494 of 2023**

Arising Out of PS. Case No.-141 Year-2017 Thana- MADHUBANI COMPLAINT CASE  
District- Madhubani

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Md. Ayub Son Of Md. Rahamat Resident Of Village - Ujaina Bhacchi, Police  
Station - Baheri, District - Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Khairul Khatoon Wife Of Md. Ayub, Daughter Of Md. Ishaak Resident Of  
Village - Ujaina Bhacchi, Police Station - Baheri, District - Darbhanga,  
Presently Resident Of Village - Sohrai, P.S. - Lakhnour (R.S. O.P.), District -  
Madhubani

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Bharti

For the Opposite Party/s : None

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      22-01-2024                      Nobody appears on behalf of the opposite party no. 2.

Notice was validly served upon opposite party no. 2

2. The petitioner apprehends his arrest in a case in  
connection with C.R. Case No. 141/2017, corresponding to T.R.  
No. 707/2023, registered for the offences punishable under  
Section 498(A) of the Indian Penal Code and Section 3/4 of the  
Dowry Prohibition Act.

3. Petitioner, who is husband of opposite party no. 2,  
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 C.R. Case No. 141/2017, corresponding to T.R. No. 707/2023, 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 learned Court below for referring the matter to the District Mediation Centre for the



purpose of reconciliation or for one time settlement.

7. Accordingly, this application stands disposed of.

**(Anjani Kumar Sharan, J)**

Ranjeet/-

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