

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67926 of 2023

Arising Out of PS. Case No.-107 Year-2019 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Anarul Haque S/O Abdul Hameed R/O Village- Kathalbari, P.S- Amdabad,
Distt.- Katihar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bibi Mastara Khatun W/O Anarul Haque, D/O Md. Turab Ali Presently
Reside At Village- Khopa Kathi, P.O- Khopa Kathi, P.S- Harishchandrapur,
Distt.- Malda(W.B.).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad
For the State	:	Mr. Md. Matloob Rab
For the Complainant	:	Mr. Bimal Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-01-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 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. Learned counsel for the petitioner submits 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. He submits that the petitioner is always ready to keep the complainant and children with full dignity and honor but the complainant herself not ready to live with the petitioner. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

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. 107 of 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 one time settlement.

7. Petitioner is directed to appear in the learned Court below in Matrimonial Case No. 31 of 2019, if the



petitioner will not appear on two consecutive dates, then the complainant shall be at liberty to file the application for cancellation of his bail.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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