

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71228 of 2023

Arising Out of PS. Case No.-250 Year-2021 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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PRAKASH KUMAR SON OF MANJU SAHNI RESIDENT OF
MOHALLA- BACHHUBAN PS- KUDHANI, DIST- MUZAFFARPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. RUPA KUMARI WIFE OF PRAKASH KUMAR RESIDENT OF
MOHALLA- BACHHUBAN PS- KUDHANI, DIST- MUZAFFARPUR AT
PRESENT R/O VILLAGE- BAHILWARA GANGAULIA, PS- SARAIYA,
DIST- MUZAFFARPUR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Bipin Chandra, Adv.
For the State : Mr.Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 4 12-11-2024 Heard learned counsel for the petitioner and learned APP

for the State. Though, notice was validly served upon the O.P.

No.2 but nobody has entered appearance on her behalf.
2. The petitioner apprehends his arrest in a case registered

under sections 498(A), 323, 341 of the IPC.
3. Allegation against the petitioner is of committing torture

upon the victim due to non-fulfillment of demand of dowry and

of ousting her out of the matrimonial house.
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.*

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 Complaint Case No.250 of 2021, 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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