

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67142 of 2023

Arising Out of PS. Case No.-179 Year-2022 Thana- KADAMKUAN District- Patna

RAJ KUMAR SON OF LATE NANHAK MAHTO RESIDENT OF
VILLAGE- MUSSALHPUR, CHAI TOLA, PS- KADAMKUAN, DISTT-
PATNA

... .. Petitioner/s

Versus

1. The State of Bihar
2. NUTAN KUMARI @ HIRA MOTI WIFE OF RAJ KUMAR RESIDENT OF VILLAGE- MUSSALHPUR CHAI TOLA, NEAR DEVI ASTHAN, PS- KADAMKUAN, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Binay Kumar Singh, Adv.
For the Opposite Party/s :	Mr.Pawan Kumar Chaurasia, APP
	Mr.Rabindra Prasad Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2024 Heard the parties.

2. The petitioner apprehends his arrest in a case registered u/s 341, 323, 328, 34 of the IPC and sections 3/4 of D.P. Act.

3. Allegation against the petitioner is of committing torture upon the infromant 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 and willing 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 Kadamkuan P.S. Case No.179/2022, 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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