

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80060 of 2023

Arising Out of PS. Case No.-56 Year-2023 Thana- PARASBIGHA District- Jehanabad

1. CHANDRAMA KUMAR @ CHANDAN KUMAR SON OF LATE RAMDENI YADAV RESIDENT OF VILLAGE - SHEVABIGHA, P.O. - KURTHA, P.S. - KURTHA, DISTRICT - ARWAL, PIN CODE - 804421
2. BINITA DEVI @ VINITA KUMARI D/O. JITENDRA YADAV @ MAHAJAN RESIDENT OF VILLAGE - BAIRBIGHA, P.S. - KARPI, DISTRICT - ARWAL, PIN CODE - 804419

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Mishra
For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-03-2024 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 494 & 307/34 of the Indian Penal Code and Section 3/4 of the Prevention of Witch Craft Act.

3. Petitioner no.1 is the husband of the informant petitioner no.2 is the second wife of petitioner no.2 and they are said to have ousted the informant from her matrimonial home in association of his family members over the dowry demand.

4. It is submitted by learned counsel for the petitioners that the petitioners are innocent persons and have committed no offence. Petitioners have neither made any



dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. They are still ready to keep her with full honour and dignity. The petitioners have 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 petitioners, be released on bail, in the event of their 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) each 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 Parasbigha P.S. Case No.56 of 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 Center for the purpose of reconciliation or for one time settlement.

7. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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