

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3019 of 2024

Arising Out of PS. Case No.-387 Year-2023 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Rajeev Kumar s/o Ashok Kumar R/O Village- Dumari, P.S- Silao, Distt.-
Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar VILLAGE DUMARI PS SILAO DISTRICT NALANDA
2. Khushbu Kumari W/o Rajeev Kumar, D/o Kanhai Ram R/O Vill.- Nalanda
More, P.S.-Nalanda, Dist,- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Prasad
For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-04-2024 Heard learned counsel for the petitioner and learned APP for
the State.

2. Vide order dated 31.01.2024, notice was issued upon
O.P. No.2 but Office pointed out that that notice has been
validly served upon O.P. No.2 but nobody has entered
appearance on her behalf.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498A, 406
of the Indian Penal Code.

4. 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.

5. 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**.

6. 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.387C of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

7. 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.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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