

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.212 of 2024

Arising Out of PS. Case No.-9 Year-2023 Thana- KUCHILA District- Kaimur (Bhabua)

Naseem Khalifa S/o- Marhum Jakir Hussain R/o- Village- Kota, P.S- Kuchila,
District- Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Parweena Khatoon W/o- Naseem Khalifa, D/o- Saroj Miya R/o- Village- Kota, P.S-Kuchila, District- Kaimur, at present R/o- Village and P.O- Alampur, P.S- Badi O.P (Shivsagar), District- Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. Despite valid service of notice, nobody appears on
behalf of the O.P. No.2.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498A, 494,
34 of the Indian Penal Code and Section 3 of the Dowry
Prohibition Act.

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 no criminal antecedent. 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 Kuchila P.S. Case No.09 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 allowed.

(Anjani Kumar Sharan, J)

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