

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53987 of 2016

Arising Out of PS.Case No. -271 Year- 2014 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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Madan Sah Son of Chain Sah Resident of Village-Tikaita, P.S.-Turkaulia,
District-East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Kaushalya Devi Wife of Sri Madan Sah and Daughter of Late Badri Sah
Resident of Village-Rulahi Sataisa, P.S.-Motihari Muffasil, District-East
Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Anish Chandra,A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner is an accused in a Complaint Case
No.C-271 of 2014 corresponding to Trial No.921 of 2016
registered under Sections 498(A), 323 of I.P.C. and 3/4 of Dowry
Prohibition Act.

The prosecution case, in brief, is that the marriage
of the complainant Kaushalya Devi, was solemnized with the
petitioner in the year, 1982. At the time of marriage Rs.50,000/-
was given to the petitioner but buffalo could not be given but after
marriage the petitioner started demanding buffalo and on account



of non-fulfillment of demand of dowry O.P.No.2 was being brutally assaulted and tortured. Sometime she was deprived of her food and the petitioner ousted her from his house. O.P.No.2 has a son. Whereafter the victim has been living with her parents and leading of miserable life. The further allegation against the petitioner is that he has illegally kept co-accused, Jhalo Devi as a wife who happens to be the wife of the elder brother of the petitioner.

The learned counsel for the petitioner submits that there is general and omnibus allegation against the petitioner who is aged about 70 years. The victim herself left her matrimonial home and refused to live with the petitioner.

Having regard to the facts and circumstances of the case, let the petitioner, abovenamed, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the S.D.J.M., Sadar, Motihari, East Champaran, in Trial No.921 of 2016 arising out of Complaint Case No.271 of 2014.

(Arvind Srivastava, J)

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(Arvind Srivastava, J)

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