

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5638 of 2017

Arising Out of PS.Case No. -73 Year- 2015 Thana -MADHEPUR District- MADHUBANI

=====

Shankar Mukhiya, Son of Bechan Mukhiya, Resident of Village-
Bhagwanpur, P.S.- Madhepur, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Savigta Devi, wife of Shankar Mukhiya.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

9 27-11-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Madhepur P.S. Case No. 73 of 2015 registered under Sections
323, 498A, 379 and 384 of the Indian Penal Code and Section 3/4
of the Dowry Prohibition Act.

The accusation is of torturing the informant-opposite
party no. 2 by her husband and in-laws due to non-fulfillment of
demand of dowry and also to remove from matrimonial house
along with her child.

Learned counsel for the petitioner submits that on the
joint prayer of learned counsel for the petitioner and the opposite



party no. 2, the matter was referred to the Mediation Centre, Patna High Court, for settlement of dispute in between petitioner and the informant-opposite party no. 2, who are husband and wife, but mediation could not be succeeded. Thereafter, in spite of direction given to both parties twice time to present physically before this Court, opposite party no. 2 did not appear, while petitioner was present.

Learned counsel for the opposite party no. 2 submits that due to illness complainant-opposite party no. 2 is not present today and on preceding date also.

Having regard to the facts and circumstances of the case, 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. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Jhanjharpur (Madhubani) in connection with Madhepur P.S. Case No. 73 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

