

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15335 of 2019

Arising Out of PS. Case No.-161 Year-2018 Thana- KUNDWACHAINPUR District- East
Champaran

SHIVNATH KUMAR @ SHIVNATH SAH @ Sheo Nath Sah Son of Raj
Kumar Sah @ Ram Kunwar Sah Resident of Village - Kundwa Chainpur,
P.S.- Kundwa Chainpur, District - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 03-09-2019 Petitioner seeks bail in anticipation of his arrest in
connection with Kundwa Chainpur P.S. Case No. 161 of 2018
(G.R. No. 1545 of 2018) registered for the offences punishable
under Sections 498(A), 323, 342, 313, 308 & 34 of the Indian
Penal Code.

The case is under Section 498-A of the Indian Penal
Code with allegation of demand of dowry and assault.

Submission of the learned counsel for the petitioner is
that the whole allegation is false and concocted and he is still
ready to keep her with full dignity and care.

On appearance of the opposite party No. 2, the matter
was referred to the district Mediation Center, Motihari vide
order dated 07.06.2019. The report of Mediator is available on



record at Flag “A” which disclosed that both the parties are interested to reside with each other and even opposite party no.2 is interested to reside with her husband. It further appears that on the pressure of her family members she refused to go to her Sasural rather she wants to reside at her Maik.

Learned counsel for the opposite party no.2 has submitted that she is ready to reside with the petitioner if petitioner provide full dignity and care.

Heard both the parties and perused the mediation report and material available on the record. It appears that there is some superfluous injury on the person of the opposite party no.2

considering the facts as discussed above, let the petitioner, above named, surrender before the learned Court below within two weeks from the receipt of the order, petitioner will be released on bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sikarohana, Dhaka, in connection with Kundwa Chainpur P.S. Case No. 161 of 2018, subject to conditions as laid down under Section 438 (2) of the Cr.P.C. and further direction is that one of the bailors of the petitioners shall be a local persons having sufficient immovable



property within the jurisdiction of the Court concerned. Further condition is that if the opposite party no. 2 moves for her maintenance, she will file maintenance application before the Principal Judge, Family Court, and a personal notice of the same is being served to the petitioner and he has to appear and cooperate in the proceeding and abide by any order passed by the family Court unless the same is set aside or revised by any higher Court.

With the aforesaid observations, this application is allowed.

(Vinod Kumar Sinha, J)

T.Kr./-

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

