

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22556 of 2019

Arising Out of PS. Case No.-319 Year-2018 Thana- NOKHA District- Rohtas

CHANDAN KUMAR @ GUDDU, aged about 30 years, Male, Son of
Bashishth Singh, Resident of Village- Penar, P.S.- Nokha, District- Rohtas
... Petitioner

Versus

1. THE STATE OF BIHAR
2. Sanju Devi, aged about 35 years, Daughter of Uma Shankar Singh Resident
of Village- Kazi Tola Amai, Hasan Bazar, P.S.- Piro, District- Bhojpur
... Opposite Parties

Appearance :

For the Petitioner	:	Mr. Rajani Kant Singh, Adv.
For the State	:	Mr. Rajesh Kumar, APP
For OP No. 2	:	Mr. Raghwanand, Adv.

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

ORAL ORDER

5 27-08-2019 Heard learned counsel for the petitioner, the learned
counsel appearing informant/opposite party no. 2 and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Nokha P.S. Case No. 319 of 2018, pending in the Court of Sri
B.K. Rai, Additional Chief Judicial Magistrate, Rohtas at
Sasaram, for the offences alleged under Sections 341, 342, 307
and 498A of the Indian Penal Code and 3 and 4 of the Dowry
Prohibition Act.

The accusation is of torturing of the
informant/opposite party no. 2 by her husband and in-laws due
to non-fulfillment of demand of rupees one lakh for doing
business and remove her causing assault, along with minor baby,
from matrimonial house.

Learned counsel appearing for the petitioner submits



that while the matter was sent before the Patna High Court Mediation Center for settlement of the dispute, but, dispute could not be settled there.

On the other hand, learned counsel appearing informant/opposite party no. 2 submits that informant/opposite party no. 2 has a minor female baby and she is ready to go at her matrimonial house to lead her conjugal life with te petitioner, but, the petitioner was not ready in the mediation center to take her.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of pre-arrest bail to the petitioner. The prayer for pre-arrest bail is **rejected**. The petitioner is directed to surrender before the Court below and seek regular bail, which will be considered on its own merit and without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

Shamshad/-

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