

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76773 of 2018

Arising Out of PS. Case No.-104 Year-2018 Thana- NAYAGAON District- Saran

Jitendra Mishra, son of Sri Surendra Mishra, resident of village Hasanpur, P.
S. Nayagawn, district Saran at Chapra ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner	:	Mr. Nawal Kishore Singh, Adv.
For the State	:	Mr. Dashrath Mehta, APP
For the Informant	:	Mr. Vikram Singh, Adv.

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

ORAL ORDER

5 08-07-2019 Heard learned counsel for the petitioner, the learned
counsel for the informant and learned Additional Public
Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Nayagawn P.S. Case No. 104 of 2018 for the offences alleged
under Sections 341, 323, 324, 379, 498A and 34 of the Indian
Penal Code.

The accusation is that on 12.07.2018 the informant
reached at her sasural and told her mother-in-law, Satya Devi,
that she will stay at her sasural, then, her mother-in-law abused
her and brandished the country made pistol and asked the
informant to leave the house. The informant raised alarm on
which petitioner, husband of the informant, and other family
members reached there with lethal weapons and on the
instruction of Satya Devi the petitioner started assaulting the



informant in which she sustained blood oozing injury on head. Thereafter, she was removed from there snatching her personal belongings. The informant went to Police Station and was referred to Referral Hospital. At that time threatening was given to the informant to not come to the matrimonial house otherwise she will be killed.

The submission of the learned counsel for the petitioner is that petitioner is the husband of the informant. In fact, the informant generally use to create nuisance in the family and left her matrimonial house and the present case has been lodged due to quarrel of the informant with other ladies of the family. Petitioner is still ready to keep the informant, but, when the matter was referred to the Patna High Court Mediation Center, due to the quarrel attitude, the matter could not be settled.

On the other hand, learned counsel for the informant submits that she is ready to live with the petitioner.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Nayagawn P.S. Case No. 104 of 2018 shall be released on bail on furnishing bail bond of



Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, VIII, Saran at Chapra, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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