

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46151 of 2019

Arising Out of PS. Case No.-1227 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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VIKASH KUMAR SAH @ BABU SAHAB Son of Nabab Sah Resident of
Village-Basaul, Police Station-Belsand, District-Sitamarhi.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rani Kumari Wife of Vikash Kumar Sah @ Babu Sahab Resident of Village-Basaul, Police Station-Belsand, District-Sitamarhi. Present Address-Rani Kumari, female, aged about 22 years, D/o Baldeo Sah, Resident of Village-Suvaegarh, Police Station-Runnisaidpur. At Present residing at-Resident of Village-Vanaspatti, West to Near Hiway Hotel, Police Station-Runnisaidpur, District-Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhubala Verma
For the Opposite Party/s : Mr.Madhura Nand Jha

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

7 21-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498-A, 323, 307, 379, 504/34 of the Indian Penal Code and Section 3/4 D.P. Act.

Petitioner who happens to be husband of the complainant is said to have tormented the complainant over dowry demand and finally drove her out of her marital house in association of his family members.

Learned counsel for the petitioner submitted that



no such occurrence as alleged ever took place. The petitioner has been falsely implicated in this case. The petitioner has neither made any dowry demand nor subjected the complainant to any cruelty nor drove her out of her marital house over the said demand. Complainant herself left his house without any rhyme or reason. Petitioner is ready to keep the complainant with him with full honour and dignity.

On the other hand, learned counsel for the complainant O.P. No.2 opposed the bail petition.

Both the parties turned up before the Court in person and on quizzing the petitioner, he vented his readiness to keep the complainant with full honour and dignity before the Court but despite all best efforts of the Court, the complainant did not relent and she is not ready to live with the petitioner and give opportunity to him to restore the marital relation. Earlier the matter was sent to Patna High Court Mediation Centre for reconciliation between the parties but there also reconciliation stood failed.

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 four 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 learned S.D.J.M., Sadar, Sitamarhi in connection with C1-1227/2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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