

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62793 of 2018**

Arising Out of PS. Case No.-40 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Shiv Sah Son of Jainarayan Sah, Resident of Village- Laxmipur, Bharauliya,
Police Station- Motihari Muffasil, District- East Champaran.

... .. Petitioner.

Versus

1. The State Of Bihar.
2. Puja Devi, wife of Shiv Sah, daughter of Baidnath Sah, resident of village-
Laxmipur, Bharauliya, Police Station-Motihari Muffasil, District-East
Champaran, presently residing at village-Ghorasahan, Maigachi Tola,
Police Station-Ghorasahan, District-East Champaran.

... .. Opposite Parties.

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Appearance :

For the Petitioner	:	Mr.Sanjay Kumar No.-7, Advocate.
For the State	:	Smt. Pushpa Sinha, A.P.P.
For the opposite party no.2:		Mr. Sanjeet Deokuliar, Advocate.
		Mr. Kundan Rathore, Advocate.

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

ORAL ORDER

6 02-05-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

opposite party no.2.

The petitioner apprehends his arrest in connection
with Trial No.2893 of 2018, arising out of Complaint Case
No.40 of 2018, registered under Section 498(A) of the Indian
Penal Code.

The accusation is torturing the opposite party no.2 by
her husband (petitioner) and other in-laws for non-fulfillment of
the dowry demand and removing the opposite party no.2 from



her matrimonial house by snatching her personal belongings.

Learned counsel for the petitioner submits that on the joint prayer made on behalf of the petitioner and the opposite party no.2, the matter was referred to the Patna High Court Mediation Centre, Patna, for mediation and settlement of the dispute in between the petitioner and the opposite party no.2, who are husband and wife, but the mediation could not succeed there due to rigid attitude of the opposite party no.2, while the petitioner is ready to keep his wife (opposite party no.2) with full honour and dignity.

On the other hand, learned counsel for the opposite party no.2 submits that after filing of the present case, the petitioner has performed his re-marriage and, therefore, no question arises to lead the conjugal life by the opposite party no.2 with the petitioner.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran, in connection



with Trial No.2893 of 2018, arising out of Complaint Case
No.40 of 2018, subject to the conditions laid down under
Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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