

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16624 of 2020**

Arising Out of PS. Case No.-265 Year-2019 Thana- PAHARPUR District- East Champaran

Sujay Sah @ Sujay Kumar Sah Son of Yogi Sah Resident of Village-Rajkarariya (Rai Karariya), P.S.-Paharpur, District-East Champaran at Motihari.

... .. Petitioner

Versus

1. The State Of Bihar
2. Nikki Devi @ Niki Devi W/o Sujay Sah @ Sujay Kumar Sah, D/o Ramchandra Sah Resident of Village-Rajkarariya, P.S.-Paharpur, District-East Champaran at Motihari. Present address D/o Ramchandra Sah r/o-Mathiya Bariyarpur, P.S.-Pipra Kothi, District-East Champaran at Motihari.

... .. Opposite Parties

**Appearance :**

For the Petitioner/s : Mr. Binay Kumar, Adv.  
For the State : Mr. Ramchandra Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**

ORAL ORDER

2      12-06-2020                      Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 324, 504, 506, 498(A)/34 of the Indian Penal Code and Section 3/4 of D.P. Act.

Petitioner happens to be husband of opposite party no. 2 and there appears to be matrimonial dispute between the parties. Moreover, petitioner has filed Matrimonial Case No. 283 of 2019 under Section 9 of Hindu Marriage Act for restitution of his conjugal right and at para 8 of the present



petition, he has specifically pleaded that he is ready to keep the opposite party no. 2 with full honour and dignity with him.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that petitioner is in jail custody since 06.01.2020, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Paharpur P.S. Case No. 265 of 2019, G.R. Case No. 6106 of 2019.

However, it is made clear that the learned trial court shall explore the possibilities of reconciliation of dispute of the parties and if conciliation fails, then in that circumstance, the learned trial court shall proceed with the trial of the petitioner and shall conclude the same as early as possible, preferably within six months from the date of failure of conciliation proceeding.

**(Hemant Kumar Srivastava, J)**

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