

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19889 of 2019**

Arising Out of PS. Case No.-1033 Year-2018 Thana- KATIHAR District- Katihar

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Raj Kumar Sah Son of Late Ganesh Sah, Resident of Driver Tola, Santoshi Nagar, P.S.-Town, District-Katihar.

... .. Petitioner

Versus

1. The State of Bihar.

2. Putul Devi, D/o Bhuneshwar Sah, R/o Vill-Madheli, P.S. Barari, District-Katihar.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Adv.
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER**

8 15-06-2020 Heard learned counsel for the petitioner and learned counsel for the State via video conferencing.

Nobody appears on behalf of the O.P. No. 2.

The petitioner has filed the present application for grant of pre-arrest bail in connection with Katihar Town P.S. Case No. 1033 of 2018 registered for the offence punishable under Sections 323 and 498A/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Vide order dated 01.04.2019, while issuing notice to the O.P. No. 2, the petitioner was granted provisional pre-arrest



bail. Subsequently, the O.P. No. 2 appeared through her counsel Mr. Jitendra Kumar.

A Bench of this Court vide order dated 25.07.2019, referred the matter to the Patna High Court Mediation and Conciliation Centre in order to explore the possibilities of an amicable settlement between the parties.

The learned Mediator submitted his report dated 18.12.2019 wherein he has stated that the parties did not appear in person and they were being represented through their counsel, and thus, the dispute between the parties could not be resolved through the process of mediation.

Learned counsel for the petitioner submitted that the petitioner is innocent. He contended that due to matrimonial discord and incompatibility, the O.P. No. 2 herself deserted the petitioner. There is no truth behind the allegation of subjecting the O.P. No. 2 to cruelty on non-fulfillment of demand of dowry.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner.

Regard being had to the nature of allegation made in the FIR, the pleadings made in the application and the submissions advanced at the bar, the provisional bail granted to the petitioner by this Court vide order dated 01.04.2019 is,



hereby, confirmed.

(Ashwani Kumar Singh, J)

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