

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59740 of 2019

Arising Out of PS. Case No.-491 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Arun Kumar Son of Mishrilal Rai Resident of Village- Kurminiya, P.S.-
Mahuawa (Chhauradano), District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Sanju Devi Daughter of Jagdish Rai Resident of Village- Mathiya
Bariyarpur, P.S.- Piprakothi, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

5 04-03-2020 Heard learned counsel for the petitioner and learned
counsel for the complainant O.P. No. 2.

The petitioner seeks pre-arrest bail in connection with
Complaint Case No. C-491 of 2018 registered under Sections
323 and 498(A) of the Indian Penal Code and Section 3/4 of
Dowry Prohibition Act.

Vide order dated 24.09.2019, this Court had referred
the matter to the Mediation and Reconciliation Centre to explore
the possibility of settlement of dispute between the parties.

The learned Mediator has submitted her report dated
06.12.2019 wherein she has stated that all efforts to resolve the
dispute failed.

It is submitted by the learned counsel for the



petitioner that there is no truth behind the allegation made in the complaint. The petitioner has neither demanded dowry nor did he subject the complainant to cruelty in any manner whatsoever, but due to some matrimonial discord and incompatibility, the instant complaint has been filed.

On the other hand, learned counsel for the O.P. No. 2 while opposing the prayer for grant of pre-arrest bail to the petitioner submitted that the petitioner being the husband of the complainant is solely responsible for subjecting her to cruelty for non-fulfillment of dowry.

Be that as it may, considering the nature of allegation and the submissions advanced at the bar, in the event of arrest or surrender before the court below, the petitioner named above is directed to be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxaul, Motihari, East Champaran in connection with Complaint Case No. C-491 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Ashwani Kumar Singh, J)

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