

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81618 of 2019

Arising Out of PS. Case No.-784 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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SURESH SAH, aged about 40 years, Male, Son of Bharat Sah, Resident of
Village- Jugauliya Tola Gulab Khan, P.S.- Madhuban, District- East
Champaran ... Petitioner

Versus

1. THE STATE OF BIHAR
2. Shila Devi,, aged about 36 years, Female, Wife of Suresh Sah, Resident of
Village- Jugauliya Tola Gulab Khan, P.S.- Madhuban, District- East
Champaran ... Opposite Parties

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Adv.
For the Opposite Parties : Mr. Pancha Nand Pandit, APP

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

ORAL ORDER

4 19-06-2020 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the state through video
conferencing.

The petitioner seeks pre-arrest bail in connection with
Trial No. 2295 of 2019 arising out of Complaint Case No. C-
784 of 2017, registered under Sections 498A, 323 and 504/34 of
the Indian Penal Code.

The accusation is that marriage of
complainant/opposite party no. 2 was performed with the
petitioner before 17 to 18 years and after marriage she started to
live at her matrimonial house. After passing over some time,
she was blessed with male issue, aged about 10 years, but, since
before four years, she was being tortured by her husband and in-



laws through various modes, demanding cash of Rs.1,00,000/- and on several occasions she was removed from matrimonial house. When her husband, Suresh Sah (petitioner), returned from foreign, then, he again started to torture her and lastly she was removed from house on 23.04.2017.

Submission is that admittedly the petitioner is the husband of complainant/opposite party no. 2, who has filed the present case in misunderstanding. Further, submission is that while the notice, issued by this Court, has been received by the complainant/opposite party no. 2, but, she did not choose to appear before this Court. Further, submission is that it would appear from the complaint petition that the petitioner and complainant/opposite party no. 2 has a male issue, aged about more than 10 years, so no question arise about torturing the complainant/opposite party no. 2, after 17-18 years of marriage.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Trial No. 2295 of 2019 arising out of Complaint Case No. C-784 of 2017 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the



Subdivisional Judicial Magistrate, Sadar, Motihari, East
Champan, or the successor Court subject to the conditions as
laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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