

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.39130 of 2020

Arising Out of PS. Case No.-158 Year-2020 Thana- KHAIRA District- Saran

Vikash Kumar Sah @ Vikash Kr. Sah, aged about 30 years, Son of Dhupan Sah, Resident of Village- Katesar, P.S.- Khaira (Nagra), District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kavita Devi, W/o Vikash Kumar Sah, D/o Brij Bihari Sah, Resident of Village- Mahamda, P.S.- Garkha, District- Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Adv.
For the O.P. No. 2 : Mr. Nawal Kishore Singh, Adv.
For the State : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 03-05-2021 Heard Mr. Harish Kumar, learned Advocate for the petitioner and Mr. Nawal Kishore Singh, learned counsel for the informant/opposite party No. 2. The State is represented by Mr. Ram Priya Sharan Singh, the learned APP for the State.

The petitioner, who is the husband of the informant/opposite party No. 2, seeks bail in anticipation of



his arrest in connection with Khaira (Nagra) P.S. Case No. 158 of 2020, dated 04.06.2020, instituted for the offences under Sections 341, 323, 324, 379, 498(A) and 34 of the Indian Penal Code.

The learned counsel for the petitioner has submitted that for some reason or the other, there was an occurrence in the family in which the father of the petitioner was badly assaulted by the family members of the informant as a result of which, he died. It has further been submitted that the petitioner has been trying his best to keep the matrimonial relationship intact, but only because of the quarrelsome approach of the informant, the relationship has not been normalized between the spouses even though the marriage was solemnized in the year 2014.

As opposed to the aforesaid contention, Mr. Nawal Kishore Singh, learned counsel for the informant/opposite party No. 2 has intimated this Court that there might have been some occurrence in the family in which the father of the petitioner died but that should not be associated with the present case, where the petitioner, as husband, is not taking



good care of his wife (informant/opposite party No. 2) and his two children.

Considering the nature of accusation and the background facts, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Chapra, Saran in connection with Khaira (Nagra) P.S. Case No. 158 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

However, it would be open for the informant to seek maintenance from the petitioner before an appropriate Court by instituting an appropriate proceeding.

With the aforesaid observation/direction, the application stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

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