

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3138 of 2020

Arising Out of PS. Case No.-50 Year-2019 Thana- MAHILA PS District- East Champaran

Rajni Bhushan Kishore Son of Late Badri Prasad Resident of Village -
Agarwa, P.S.- Motihari Town, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Jigyasha Kumari W/o Pawan Kumar Prasad Resident of Village - Comittee
Chowk, Motihari, P.S.- Muffasil, Dist.- East Champarn.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Priyanka Singh, Advocate
For the Opposite Party/s	:	Mr. Akshay Lal Pandit, APP
For the Informant	:	Mr. Rajesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL ORDER

3 03-11-2021 Heard the parties.

The petitioner apprehends arrest in connection with
Motihari Mahila P.S. Case No. 50 of 2019, registered under
Sections 341, 323, 504, 506, 406 and 498A of the Indian Penal
Code.

As per prosecution case, informant was married with
this petitioner on 20.05.2009. After sometime of marriage,
accused persons started demanding Rs. 5,000,00/-. Due to non-
fulfillment of aforesaid demand, informant was subjected to
physical torture. It is alleged that in the year 2017, father of the
informant gave Rs. 4,60,00/- to the accused persons. The
informant is a *Panchayat* teacher before her marriage. The



accused persons used to withdraw her salary through A.T.M. It is further alleged that again the accused persons started demanding Rs. 5 lacs, but due to non-fulfillment of the same accused persons assaulted the informant. Thereafter informant gave Rs. 1,60,000/- to the accused. It is alleged that after taking money accused persons again assaulted the informant and ousted her from the house along with her two children. On 20.08.2019, informant again went to her matrimonial house, but the accused persons assaulted and ousted her from the house along with her children. Petitioner is an advocate. He used to give threatening of dire consequences to the informant.

On 02.03.2020, interim order was passed by a co-ordinate bench of this Court that no coercive step shall be taken against the petitioner. Such order is contrary to the Apex Court's decision passed in the case of *Nathu Singh V. State of U.P.* reported in *(2021)6 SCC64*.

In the light of aforesaid decision of the Apex Court, the present petition stands rejected reserving liberty to the petitioner to approach for bail before the jurisdiction court.

Learned counsel for the petitioner, on instruction, submits that parties are likely to move before the Mediation Centre.



The present order would not come in the way of Mediation Centre of this Court to examine the grievance of the petitioner & others independently.

Parties are permitted to appear on 07.12.2021.

(P. B. Bajanthri, J)

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