

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29332 of 2022

Arising Out of PS. Case No.-89 Year-2020 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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JIBACHH RAUT S/o Uttim Raut Resident of Village- Parsa Tola Reriyahi,
P.S.- Harelakhi, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. RINKI DEVI JIBACHH RAUT Resident of Village- Parsa Tole Reriyani,
P.S.- harelakhi, District- Madhubani, At present Daughter of madan Raut,
Resident of Village- Ghorghawa Tole Bejewah, P.S.- Fulgama, District-
Dhanusa (Nepal)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate
For the Opposite Party/s : Mr.Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Complaint Case No. 89 of 2020 registered for the offence under
Sections 147, 149, 341, 323, 354(b), 379, 498(A), 494, 504, 506
and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 02.02.2022.



The allegation against the petitioner is to commit cruelty against his wife along with other family members. It is further alleged that petitioner solemnized second marriage.

Learned counsel appearing on behalf of the petitioner submitted that informant is under habit to lodge false complaint case against the petitioner and she herself living in adultery with one, Santosh Raut, for which, a complaint case was lodged by the father of this petitioner, which is pending before A.C.J.M.-I, Benipatti, bearing Complaint Case No. 125 of 2019. It is submitted that three(3) children are living with the petitioner. It is submitted that for the similar allegation a FIR, prior to this complaint was lodged by the informant bearing Harlakhi P.S. Case No. 93 of 2019, where petitioner is on provisional bail as granted through Cr. Misc. No. 18130 of 2022, by one of the learned Co-ordinate Bench of this Court, where notice has been issued to the informant/complainant to join the mediation for settlement of their disputes and differences.

Learned APP, Shri Harendra Prasad, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as complainant appears in habit to lodge complaint against the husband/petitioner and further to consider as



mediation/conciliation is under progress between the parties related to their matrimonial disputes, let the petitioner, above named, is directed to be released on bail in connection with Complaint Case No. 89 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Benipatti/concerned court.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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