

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36294 of 2022**

Arising Out of PS. Case No.-1208 Year-2019 Thana- BEGUSARAI COMPLAINT CASE  
District- Begusarai

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Rajesh Kumar Sah Son Of Bhubneshwar Sah R/O- Mohalla- Ruhellaganj,  
Near Pili Masjid P.S.,- L.N.M.U. Campus, Dist.- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nutan Kumari Wife Of Rajesh Kumar Sah, Daughter Of Gopal Swarankar  
R/O- Mohalla- Naukothi, P.S.- Naukothi, Dist.- Begusarai

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Baidya Nath Prasad

For the Opposite Party/s : Mr.Nityanand  
Mr. Sabal Kr. Jha

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      21-11-2022                      Heard learned counsel for the petitioner, opposite party no. 2 and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 498A of the Indian Penal Code and Section 4 of the DP Act.

Petitioner, who is husband of opposite party no2., is said to have ousted the opposite party no.2 from her matrimonial home in association of his family members over the



dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and has committed no offence. He submits that the petitioner tried his best to develop relation with the complainant but in vain lastly the petitioner filed a matrimonial case No. 41 of 2019 under Section 13 of the Hindu Marriage Act in which complainant appeared after summons and filed her written statement. He also submits that during reconciliation in the matrimonial case, both parties became ready to settle the dispute by taking Rs. 6,51,000/- in one time. The petitioner deposited a draft of Rs. 6,51,000/- in the Family Court, Darbhanga but later on complainant refused to take draft. He further submits that the petitioner has no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with C.R. No. 1208 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

If so advised, either of the parties will be at liberty to make an application before the learned Court below for referring the matter to the District Mediation Center for the purpose of reconciliation or one time settlement.

**(Anjani Kumar Sharan, J)**

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