

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55400 of 2022

Arising Out of PS. Case No.-283 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

Raju Dayma Son of Suresh Dayma, resident of Village Mai Sthan Ward No 14
, P.S.- Raxaul, District- East Champaran, Bihar- 845305

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Santosh Bharti, Advocate.

For the Opposite Party/s : Mrs. Asha Devi, APP.

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-12-2022 Heard Mr. Santosh Bharti, learned counsel appearing
on behalf of the petitioner and Mrs. Asha Devi, learned A.P.P.
for the State, in virtual Court.

The petitioner seeks regular bail in connection with
Complaint Case No. 283(C) of 2021 for the offence punishable
under Sections 323, 341, 498A and 504 of the Indian Penal
Code and Sections 3 and 4 of the Dowry Prohibition Act.

The prosecution story, in brief, is that the complainant
is the wife of the petitioner and she has alleged that her husband
tortures her and demands dowry of Rs.5,00,000/- from her
father to start business and for non-fulfillment of demand of
dowry, the petitioner has stopped her basic daily needs including
food.

Learned counsel appearing on behalf of the petitioner
submitted that the petitioner is ready to keep his wife with full
honour and dignity and will not deprive her to any day to day



need and will never torture her.

Learned A.P.P. appearing on behalf of the State submitted that primarily from the allegation made in the F.I.R., it appears that it is a case of matrimonial dispute and petitioner has made specific statement in Para-10 of the bail application that the matter may be referred for mediation.

Considering the rival submission of the parties, petitioner is directed to be released on **provisional bail** subject to the condition that petitioner will make an undertaking before the court below on affidavit that he will keep his wife with full honour and dignity and will never torture her and her minor child. The court below will try to mediate between the parties and in case parties start living together and lead their conjugal life happily, the provisional bail granted to the petitioner shall be made absolute after a period of one year.

The court below is directed to impose other such terms and conditions as it deems fit and proper in accordance with law.

With the above observation, the bail application stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

U		T	
---	--	---	--

