

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86151 of 2019

Arising Out of PS. Case No.-1738 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Sujeet Kumar @ Mintu Son Of Sitaram Singh Resident Of Village- Thatiya,
P.S.- Kathaiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sneha Rai Wife Of Sujeet Kumar, Daughter Of Baidyanath Rai Resident At
80/2 Kanta Danga Village Road, P.S.- Jagdal, District- 24 Paragana North,
West Bengal.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh
For the Opposite Party/s : Mr.Nitya Nand Tiwary

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-06-2022 Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned APP for the
State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323,
498A and 120B of the Indian Penal Code.

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. Petitioner has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. It is further submitted that petitioner is complying the order passed in Maintenance case and even being rendered as jobless under the pandemic period and enforced lock-down the petitioner paid a total sum of Rs.70,000/- till date to the complainant. It is also submitted that the petitioner has also filed a case of divorce being Matrimonial (Divorce) Case No.261/2018 for dissolution of conjugal life. Petitioner has no criminal antecedent.

From perusal of record, it appears that, with consent of both the parties, this case was referred before the Mediation Center of Patna High Court vide order dated 26.02.2020. A report dated 05.05.2022 of the learned Mediator is on record in which it is stated that in spite of his best and sincere effort the dispute between the parties could not be resolved through the process of mediation and the mediation failed. It further appears that both the parties have filed cases against each other and no useful purpose would be served by refusing the prayer for bail.

In that view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or



surrender before the learned Court below within a period of six weeks from today, 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 Complaint Case No.1738/2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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