

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3257 of 2023

Arising Out of PS. Case No.-76 Year-2021 Thana- MAHILA P.S District- Supaul

RAHUL SAH @ RAHUL KUMAR S/O HARE RAM SAH Resident of
Village- Pipra, Ward No.- 06, P.S.- Pipra, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar
2. SHIKHA DEVI W/O RAHUL SAH Resident of Village- Pipra, Ward No.- 06, P.S.- Pipra, District- Supaul. At present residing at Simrahi Bazar, Ward no.- 03, P.S.- Raghapur, District- Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Supaul Mahila P.S. Case No. 76 of 2021, registered for the offences punishable under Sections 498(A), 341, 323, 504, 506, 379, 494, 34 of the IPC along with section 3/4 of Dowry Prohibition Act.

As per allegation, the marriage of Sikha Devi was solemnized with the petitioner, seven years prior to lodging of the FIR. The parents of informant gave customary presents at the occasion of marriage. A son and a daughter were born out of wedlock of the couple. Thereafter, the accused persons,



including the petitioner, started demanding Rs. 5 lacs cash. Later on, the petitioner solemnized his second marriage.

The learned counsel for the petitioner has submitted that the entire allegation is false. The petitioner has never solemnized his second marriage and he is ready to keep the victim with full dignity and honour. The petitioner is under custody since 11.10.2022.

Considering the clean antecedents as well as the period of detention, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Supaul Mahila P.S. Case No. 76 of 2021, subject to the following conditions:-

(i) The bail bond furnished by the petitioner shall be accepted provisionally only for a period of six months. During that period, the petitioner is expected to keep the victim with full dignity and honour in the stipulated period.

(ii) If it comes to the notice to the learned trial court that due to apathy, adamant or reluctance of the petitioner, the matrimonial



relations could not be restored, the learned trial court shall pass appropriate orders.

(iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(iv) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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