

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26795 of 2022

Arising Out of PS. Case No.-273 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Santosh Kumar Son Of Krishna Rai Resident Of Village - Nagar Panchayat
Sheohar, P.S.- Sheohar, Distt.- Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ragini Kumari D/o Vishwanath Prasad Resident of Village - Thumma , P.s.-
Runnisaidpur, Distt.- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Pronoti Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 17-07-2023 Heard learned counsel for the petitioner and

learned APP for the State. None appears on behalf of

the complainant.

The petitioner is languishing in custody in a

complaint case wherein processes have been directed to

be issued under Sections 498(A), 34 of the Indian Penal

Code.

The accusations are of torture, making assault

for non-fulfillment of the dowry demand and ousting the

complainant from her matrimonial house and performing



second marriage.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner is husband of the complainant. There is general and omnibus allegation against the petitioner. The marriage was solemnized on 10.06.2011 and out of the wedlock, the petitioner was blessed with two children. The complainant herself does not reside with the petitioner. The petitioner is still ready to keep the complainant as wife with full dignity and honour. The petitioner is languishing in custody since 14.12.2021.

It appears that vide order dated 20.07.2022, the petitioner was granted provisional bail and with consent of the parties, the matter was referred to the Mediation & Conciliation Centre of the Patna High Court.

The report of the Mediator is at Flag-M which suggests that in spite of sincere efforts, the dispute between the parties could not be resolved through the



process of mediation.

Considering the fact that marriage was performed in the year 2011 and the petitioner is ready to keep the complainant as wife with dignity and honour and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Sitamarhi in connection with Complaint Case No. C-1/273 of 2018.

(Sunil Kumar Panwar, J)

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