

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49911 of 2022

Arising Out of PS. Case No.-18 Year-2022 Thana- MAHILA P.S. District- Bhagalpur

Prince Rai, S/o Vinod Kumar Rai, Resident of Village/ Muhalla- Jyoti Bihar Colony, P.S.- Industrial Area, District- Bhagalpur. Petitioner
Versus

1. The State of Bihar.
2. Sakchhi Kumari, D/o Juman Sharma, W/o Prince Rai, Resident of Village/ Muhalla- Mirjanhat, Mohaddi Nagar, P.S.- Babarganj, District- Bhagalpur. Opposite Parties

Appearance :

For the Petitioner : Mr. Sanjiv Kumar Singh, Advocate
For the State : Ms. Renu Kumari, AC to Dr. Manoj Kumar
For the Informant : Mr. Dr. Manoj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the informant.

Petitioner in the present case is seeking pre-arrest bail in connection with Mahila P.S. Case No. 18 of 2022 registered for the offences punishable under Sections 498A, 341, 323, 504, 34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act. He has no criminal antecedent.

As per the prosecution story, the informant got married with this petitioner in the year 2021. At the time of marriage, the informant's father gave Rs.10,00,000/- cash and gifts worth Rs.4,00,000/- to the family of the petitioner. After some time, the petitioner's family again started demanding Rs.10,00,000/- from the informant's father. In the meantime, the



informant was found to be pregnant for which her mother gave Rs.50,000/- to her father-in-law for her medical treatment. On 28.04.2022, at about 01:00 P.M., all the family members including this petitioner tried to strangle the informant as a result of which her neck started bleeding but somehow she managed to escape herself and went to her parental house.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case.

Learned counsel for the petitioner and learned counsel for the informant have jointly prayed for mediation between the parties in this case.

Having regard to the submissions made on behalf of the parties who are looking for mediation, this Court directs that the petitioner above named in the event of his arrest or surrender within a period of four weeks from today be **provisionally released on bail for a period of six months from today** in connection with Mahila P.S. Case No. 18 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. II, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



Thereafter the conduct of the petitioner shall be looked into and in case, it is found that his conduct is satisfactory, his bail bond shall be confirmed by the learned court below itself.

In the meantime, as agreed, the petitioner shall take the informant-opposite party no. 2 to her matrimonial home and shall keep her with full dignity.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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