

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62939 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- MAHILA P.S. District- Bhojpur

Satish Singh @ Dablu @ Satish Kumar Son of Late Shatrudhan Singh
Resident of Village Chhotki, Sasaram, P.S. Udwant Nagar, District Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-10-2023 Heard Mr. Vinay Mistry, learned counsel appearing on behalf of the petitioner and Mr. Keshav Kumar, learned counsel for the informant. Learned counsel for the Additional Public Prosecutor for the State is also present.

2. The petitioner, who happens to be the brother-in-law of the informant, apprehending his arrest in connection with Ara Mahila P.S. Case No. 30 of 2023 registered for the offences punishable under Sections 341, 323, 504, 506, 354, 313 and 498-A / 34 of the Indian Penal Code and Section 3 / 4 of the Dowry Prohibition Act.

3. Allegedly the marriage of the informant is solemnized with Rajeev Kumar Singh, younger brother of the petitioner, on 08.12.2020, and at the time of marriage, the petitioner has received Rs. 15 lacs as dowry. It is further alleged



that despite the receipt of the aforesaid dowry the accused persons, including the petitioner, subjected to demand more dowry and on non-fulfillment of the same, she was tortured in various ways.

4. It is submitted on behalf of the petitioner that the petitioner is the Bhaishur of the informant and moreover the younger brother, who happens to be husband of the informant, had filed Divorce Case No. 232 of 2022 against the informant on the ground of desertion, which is pending before the learned Principal Judge, Family Court, Bhojpur, Ara and the present case is nothing, but the counter blast of the Divorce Case No. 232 of 2022. He next submitted that in order to settle the dispute amicably between the husband and the wife, when the husband has prayed for anticipatory bail in Cr. Miscellaneous No. 62079 of 2023, the matter has been referred to the mediation center for amicable settlement.

5. On the other hand, learned counsel for the State opposes the bail application and submits that specific allegation has been levelled against this petitioner, as he received Rs. 15 lacs as a dowry amount at the time of solemnization of marriage.

6. Considering the submission made on behalf of the



parties and taking note of the fact that no chit of paper or any material has been brought on record showing delivery of Rs. 15,00,000/- to the petitioner, further there is chance of amicable settlement between the parties and the matter has been placed before the mediation centre, let the petitioner, named above, be released on bail on the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bhojpur, Ara in connection with Ara Mahila P.S. Case No. 30 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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