

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57803 of 2022

Arising Out of PS. Case No.-661 Year-2020 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Rajesh Mushar Son of Gorakh Mushar R/o Village Chhatarpura, Devahalia,
P.S.- Ramgarh, District- Kaimur At Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tunna Kumari Wife of Rajesh Mushar, D/o Devendra Mushar R/o Village-
Bajarha, P.S.- Kudra, District- Kaimur At Bhabua

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Pawan Kumar Singh, Advocate.
For the Informant	:	Mr. Girish Narayan Sharma, Advocate.
For the State	:	Mrs.Sangeeta Sharma, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 29-04-2023 Heard Mr. Pawan Kumar Singh, learned counsel

appearing on behalf of the petitioner; Mr. Girish Narayan
Sharma, learned counsel for the informant and Mrs. Sangeeta
Sharma, learned APP appearing on behalf of the State.

2. The petitioner seeks anticipatory bail in connection
with Complaint Case No. 661 of 2020 registered under Section
498(A) of the Indian Penal Code.

3. The prosecution story, in brief, is that the
complainant was married with the petitioner and after that her
in-laws including the petitioner started demanding dowry worth
Rs.50,000/- and for non-fulfillment of the same, the
complainant was subjected to various sorts of torture.



4. The Mediator has submitted its report from which it appears that in spite of best and sincere efforts, the mediation could not succeed and ultimately failed.

5. Learned counsel appearing on behalf of the petitioner informs this Court that petitioner is ready to keep the opposite party no.2, who is his legally wedded wife, with full dignity and honour and he will fulfill all her physical as well as financial requirement and to that effect he has made specific statement in Para-9 of the bail application .

6. Learned counsel appearing on behalf of the complainant informs that the complainant may consider to live along with the petitioner.

7. Considering the aforesaid fact and in the interest of justice, this Court finds that the petitioner be released provisionally on pre-arrest bail so that he can lead a happy conjugal life subject to the condition that either party should not resort to any illegal act on such terms and conditions as the court below deems it fit and proper.

8. If no complaint is found to be made by either parties for one year, the provisional bail granted to the petitioner shall be made absolute subject to the terms and conditions as laid down under Section 438(2) of the Cr.P.C. and further any



condition fixed by the Court below.

9. Accordingly, the present bail application is disposed of.

(Purnendu Singh, J)

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