

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16513 of 2024

Arising Out of PS. Case No.-49 Year-2023 Thana- MAHILA P.S District- West Champaran

Raju Uraon, aged about 37 years, Male, Son of Umashankar Uraon @ Uma Uraon, Resident of Village- Dholbajwa, P.S.- Semra, Distt- West Champaran.

... .. Petitioner

Versus

1. The State of Bihar.
2. Seema Devi, aged about 30 years, Female, Wife of Raju Uraon, Resident of Village- Dholbajwa, P.S.- Semra, Distt- West Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Satish Kumar Singh, Advocate
For the Informant	:	Mr. Indu Bhushan, Swati Parmar and Rajesh Kumar Rajak, Advocates
For the State	:	Mrs. Rita Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 08-05-2024 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Mahila (Bagaha) P.S. Case No. 49 of 2023 dated 03.08.2023 registered for the offences punishable under Sections 341, 323, 498A, 504 and 506/34 of the I.P.C.

3. As per the prosecution case, the petitioner and other co-accused persons are alleged to have tortured the informant mentally and physically due to non-fulfilment of demand of Rs. 5,00,000/- as dowry.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has been falsely implicated in this case. The petitioner neither demanded any dowry nor tortured the informant. It is further submitted that the petitioner is the husband of the informant and he has no concern with the alleged offence. It is further submitted that the petitioner always tried his level best to save his conjugal life but due to arrogant behaviour and cruel nature of the opposite party no. 2, she is herself not willing to continue the same. Learned counsel for the petitioner has relied upon the judgments of this Court in the case of “*Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar*, reported in *2006(3) PLJR 182*” and in the case of *Satendra Kumar Antil Vs. Central Bureau of Investigation and Another (2022) 10 SCR 351* and *Md. Asfak Alam Vs. The State of Jharkhand & Anr.* passed in *Criminal Appeal No (s). 2207 of 2023 arising out of Special Leave Petition (CRL.) No. 3433 of 2023*. Learned counsel for the petitioner has further submitted that Section 498A of the Indian Penal Code is triable by the Magistrate. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 03.10.2023.

5. Learned A.P.P. for the State and learned counsel for the opposite party no. 2 have opposed the prayer for bail of the



petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bagaha, West Champaran in connection with Mahila (Bagaha) P.S. Case No. 49 of 2023 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. If so advised, either of the parties will be at liberty to make an application before the court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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