

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.833 of 2024

Arising Out of PS. Case No.-418 Year-2023 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Dukhan Sah, Male, aged about 28 years, S/O Jago Sah, at Village+PO- Ward No. 01, Majhaul Tola, Panchayat Manjhaul-01, PS. Cheriya Bariyarpur (O.P. Manjhaul), Dist. Begusarai Pin- 851127

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chunni Kumari W/O Dukhan Sah Resident Of At- Village And Po- Sangat Tola, Manjhoul, Presently Residing As D/O Hakru Sah, Village- Khanjahanpur, Ward No. 11, Ps. Cheriya, Bariyarpur, Dist. Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Shekhar Tiwary, Advocate
For the O.P. No. 2	:	Mr. Vikram Anurag, Advocate
For the State	:	Mr. Manoj Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 20-11-2024 Heard Mr. Shashi Shekhar Tiwary, learned counsel appearing on behalf of the petitioner; Mr. Vikram Anurag, learned counsel appearing on behalf of the O.P. No. 2 and Mr. Manoj Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Complaint Case No. 418c of 2023, registered for the offence punishable under Section 498(A) of the Indian Penal Code.

3. As per the allegation made in the complaint, it is alleged that the petitioner had tortured the complainant, who is his wife, for non-fulfillment of demand of dowry.



4. Vide order dated 04.07.2024, the matter was sent to mediation centre of this Court for settlement but the same has failed as would appear from the report dated 12.11.2024 submitted by the learned Mediator.

5. Learned counsel appearing on behalf of the petitioner submitted that the informant, on her own, had left the house of the petitioner and she had also not appeared before the learned mediator in person despite several notices, leading to failure of the mediation. Learned counsel further submitted that the complainant has solemnized third marriage and the petitioner was the second husband of the complainant and, as such, no case is made out against the petitioner.

6. The opposite party no. 2 (complainant) was issued notice and had appeared through her counsel but, today, learned counsel for the opposite party no. 2 is not present.

7. I find that petitioner has made out a case to be released on pre-arrest bail, accordingly, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, 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



Judicial Magistrate 1st Class, Begusarai, in connection with
Complaint Case No. 418c of 2023, subject to the condition as
laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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