

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54878 of 2024

Arising Out of PS. Case No.-27 Year-2023 Thana- MAHILA P.S District- West Champaran

Mukesh Sah Son of Laxman Sah Resident of Village - Khiriyaghat Chautariya
Tola, P.S.- Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nirmla Devi Wife of Mukesh Sah Resident of Village - Khiriyaghat Chautariya Tola, P.S.- Bairiya, District - West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar Shrivastava, Adv.
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP
For O.P. No. 2	:	Mr. Umesh Kumar Gupta, Adv.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 18-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection with Bettiah Mahila P.S. Case No. 27 of 2023 registered for the offence punishable under Sections-120(B)/341/ 323/ 498(A)/ 494/ 305 / 458/376/380/456/354(B)/377/306/504/511/506/34 of the Indian Penal Code and Sections-3, 4 & 5 of Immoral Traffic Act as well as Section-27 of the Arms Act.

3. According to allegation, the petitioner tortured his wife (O.P. No. 2) for non-fulfillment of demand of dowry.

4. It has been submitted on behalf of the opposite party No. 2 that the petitioner has solemnized second marriage with another lady, as such, it is not possible for the opposite party No. 2 to



reside with her husband.

5. Learned counsel for the petitioner submits that the petitioner is ready for one time settlement and the petitioner is paying Rs. 3,000/- (three thousand) per month to opposite party No. 2 as interim maintenance, awarded by the Principle Judge, Family Court, Bettiah.

6. Considering the aforesaid facts and circumstances, let the petitioner named above, in the event of arrest/surrender within four weeks before the court below be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Bettiah Mahila P.S. Case No. 27 of 2023 subject to the conditions as laid down u/S 438(2) of the Cr.P.C.

7. The petitioner’s bail bond shall liable to be cancelled, if, he fails to pay the awarded interim maintenance to the opposite party No. 2.

8. So far arrears of maintenance is concerned, learned counsel for the petitioner has submitted that the petitioner shall pay the same in installments, which will be paid in 12 months.

(Nawneet Kumar Pandey, J)

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