

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66142 of 2023

Arising Out of PS. Case No.-9 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Upendra Sah@Upendra Kumar Son Of Sudama Sah Resident Of Village-
Bhakhawa, Ps- Sikroul, Distt- Buxar Petitioner

Versus

1. The State Of Bihar
 2. Neha Devi Wife Of Upendra Sah Resident Of Village- Bharawa, Ps- Sikroul,
Distt- Buxar At Present Vill- Hathdiha, Ps- Dawath, Dist- Rohtas
... .. Opposite Parties
- =====

Appearance :

For the Petitioner : Mr.Dharmendra Kumar Singh, Advocate
For the Opposite Parties : Mr.Suresh Prasad Singh, A.P.P.
Mr. Subhesh Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 09-01-2025 Heard learned counsel for the parties.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 498A/323/34 of the Indian Penal Code.

3. Learned counsel for the petitioner, referring to the mediator's report dated 14.5.2024, submits that parties did not turn up for mediation and thus mediation failed on account of non-appearance of either parties. Learned counsel, while denying the allegations, submits that the petitioner has falsely been implicated in this case because he is husband of the victim. Petitioner is ready to keep the victim in matrimonial house with honour and dignity. The case is triable by the Magistrate. The petitioner has further relied upon the judgment 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**.

4. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let this petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Bikramganj, Rohtas at Sasaram in Complaint Case No. 09/2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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