

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76668 of 2024

Arising Out of PS. Case No.-2153 Year-2011 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

=====

Sonu Prasad S/O Bhim Prasad R/o Vill. - Anuaya,P.S - Sahar (Chauri), Distt.-
Bhojpur (Ara)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Devi W/O Sonu Prasad R/o Vill. - Anuaya,P.S - Sahar (Chauri), Distt.-
Bhojpur (Ara) presently residing at Vill.- Kajra, P.S.- Bihiya, Dist.- Bhojpur.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 19-05-2025 Heard learned Advocate for the petitioner, learned

Additional Public Prosecutor for the State and the learned

Advocate for the complainant (O.P. No. 2).

2. The petitioner apprehends his arrest in connection

with Complaint Case No. 2153(C) of 2011, wherein cognizance

has been taken for the offences under Section 498A of the

Indian Penal Code.

3. The marriage of the petitioner with the opposite

party no. 2 was solemnized on 08.06.2008, however, on account

of certain differences, leading to torture and demand of dowry,

the complaint case came to be filed way back in the year 2011.



4. Learned Advocate for the petitioner submitted that for the first time non bailable warrant was issued against the petitioner in the year 2015 but it has never been served and complied. In fact in March, 2024, the petitioner came to know that the opposite party no. 2 had lodged a complaint case; hence delay has occurred. On the last occasion; when the matter was taken up, the Court after considering the dispute arising out of family feud referred the matter to the Patna High Court Mediation Centre. Notwithstanding, the various dates fixed by the learned Mediator, on none of the dates the opposite party no. 2 appeared, leading to failure of the mediation.

5. Learned Advocate for the opposite party no. 2 refuted all the allegations and submitted that in fact because of ill treatment of the petitioner, the opposite party no. 2 is not in a position to live with the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is husband and he cooperated in the mediation but the opposite party no. 2 chose not to appear, this Court thinks it apt and proper to allow the present application. Let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks



from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Bhojpur at Ara in connection with Complaint Case No. 2153(C) of 2011, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner; however, the bail bond of the petitioner shall be accepted only after verification that no process under Sections 82 and 83 Cr.P.C. is issued till date.

(Harish Kumar, J)

Anjani/-

U		T	
---	--	---	--

