

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81819 of 2024

Arising Out of PS. Case No.-1022 Year-2021 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Md. Shamsheer Sah @ Md. Samsher Shah Son of Md. Abdul Shah R/o
Village- Hasanpur Osti, Police Station -Mahua, District -vaishali

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Tabassum Khatoon Daughter of Amiruddin village- Mujapakdi, Ps- Belsar
Op, Dist- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md Soban Asghar

For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 25-06-2025 Heard learned counsel for the petitioner, learned
counsel for the informant/opposite party no. 2 and learned APP
for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498A/34 of
the Indian Penal Code.

3. Petitioner, who is husband of opposite party no.2., is
said to have ousted the opposite party no.2 from her
matrimonial home in association of his family members over the
dowry demand.

4. Vide earlier order dated 28.04.2025, the matter was
sent to the Patna High Court, Mediation Center for reaching an



amicable settlement between the parties but the process of mediation has failed as the O.P. No.2 did not appear on four successive dates.

5. Learned counsel for the petitioner has submitted that he had always been ready to keep his wife with due dignity and honor and he maintains the same stand even today. In a situation, when the O.P. No.2 would have appeared, some resolution of disputes could be worked out between the parties.

6. Learned counsel for the O.P. No.2, however, submits that she has difficulty in coming to Patna for mediation and the counsels for both the sides also agree that the mediation between the parties could take place at the Mediation Center as assigned by the learned Court concerned at Vaishali.

7. In such view of the matter, the petitioner is granted privilege of provisional bail for a period of six months and in the intervening period, the parties would appear before the learned Court concerned on 07.07.2025 and the Court concerned would then refer them to the Mediation Center. Let the above named petitioner, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Hajipur at Vaishali, in connection with Complaint Case No. 1022 of



2021 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

8. In case, a reasonable solution works out between the parties and full cooperation is shown by both the parties to come to an amicable settlement, the provisional bail granted to the petitioner shall be confirmed by the learned Court below.

(Soni Shrivastava, J)

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