

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85840 of 2024

Arising Out of PS. Case No.-836 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Suraj Sah Son of Vakil Sah Resident of Village- Bishunpura, P.S.- Nokha,
District- Rohtas at Sasaram. Petitioner

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinki Devi Daughter of Surdarshan Sah Resident of Village- Darigaon,
Police Station- Darigaon, District- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP
Mr. Vinay Kumar Singh, Adv.for OP-2

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 23-07-2025 Pursuant to order dated 03.04.2025 passed by this

Court, the matter was referred to Mediation & Conciliation
Centre of Patna High Court, but the dispute between the parties
could not be resolved through the process of mediation and as
such, mediation failed (Mediation Report is available at flag
'M').

2. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the complainant /
opposite party no. 2.

3. The petitioner, who is husband of opposite party no.
2, apprehends his arrest in a complaint case punishable for the
offences under Sections 323, 498(A), 406, 379 of the Indian



Penal Code and Sections 3/4 of the Dowry Prohibition Act.

4. As per prosecution case, complainant was married with this petitioner on 05.03.2017 as per Hindu rites and rituals and out of the wedlock, one male child was born, but thereafter, all the accused persons including this petitioner demanded Rs. 2 lakhs and one gold chain, as additional dowry, and due to non-fulfillment of the same, they subjected complainant to cruelty & harassment and ultimately, ousted her from the matrimonial house.

5. Learned counsel for the petitioner submits that petitioner denies the allegation made in the complaint petition and submits that he never committed torture to opposite party no. 2 or demanded any dowry. However, on being asked by this Court for giving Rs. 3,000/- per month by way of temporary relief/solace to the opposite party no.2, learned counsel for the petitioner submits that petitioner is not ready to pay the said relief/solace to opposite party no. 2.

6. Considering the fact that neither dispute between the parties could be resolved through the process of mediation nor petitioner is ready to pay Rs. 3,000/- per month, by way of temporary relief/solace to the opposite party no.2, this Court is not inclined to pass any favourable order in favour of the



petitioner and accordingly, this pre-arrest petition is dismissed.

(Prabhat Kumar Singh, J)

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