

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46148 of 2024

Arising Out of PS. Case No.-542 Year-2023 Thana- CHANPATIA District- West Champaran

Uttam Kumar Chaubey S/o Sachchidanand Chaubey Resident of vill.- Sabeya
Chargaha, P.S.-Sirisiya O.P., Dist- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arun Kumar Dubey S/o Late Mathura Dubey R/o vill - Jabdaul, P.S. -
Kumarbagh O.P., Distt. - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate Mr. Sitesh Kashyap, Advocate
For the Opposite Party/s	:	Mr. Parmanand Prasad, APP
For the Informant	:	Mr. Sachidanand Rai, Advocate Mr. Avinash Raj, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

7 13-01-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with
Chanpatiya (Sirisiya O.P.) P.S. Case No. 542 of 2023 instituted
for the offences under Sections 341, 323, 498A, 504/34 of the
Indian Penal Code and Sections 3/4 of the D.P. Act.

3. Prosecution case, in short, is that the informant's
daughter was subjected to cruelty and assault by the petitioner
and his family members for the non-fulfillment of demand of
dowry.

4. Vide order dated 05.07.2024, the petitioner was



granted provisional bail for a period of three months for exploring the possibility of amicable resolution of the dispute. Again, vide order dated 01.10.2024, the provisional bail of the petitioner was extended till further orders and the matter was referred to District Mediation and Conciliation Centre, West Champaran for amicable settlement of dispute. However, as per the report submitted by the District and Additional Sessions Judge-XII, I/c-cum-Coordinator, District Mediation Centre, West Champaran, Bettiah, it appears that mediation has failed.

5. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that petitioner never demanded any dowry nor tortured his wife. He further submitted that, as a matter of fact, the petitioner and his wife are living together. It has been submitted on behalf of the petitioner that the petitioner has three criminal antecedents.

6. Learned A.P.P. for the State opposed the prayer for grant of bail to the petitioner. However, learned counsel appearing on behalf of the informant submitted that petitioner



and his wife are living together.

7. Considering the aforesaid facts and circumstances of the case and since the petitioner and his wife are living together as per the submissions of learned counsel for the petitioner and the informant as also taking into account the period of custody undergone by the petitioner, the provisional bail granted to the petitioner vide order dated 05.07.2024 is hereby confirmed, subject to the following conditions:

(I) Petitioner shall keep his wife with full honour and dignity.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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