

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37815 of 2015

Arising Out of PS.Case No. -2727 Year- 2013 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Harinath Sahani Son of Bhola Sahani resident of village - Paura (Pokharpar), P.S. Sarai, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Pramila Devi W/o Harinath Sahni at Present resides :- D/o Harinath Sahni, Mohalla - Hathisarganj, Ward No. 1, P.S. Nagar Hajipur, District - Vaishali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra
For the Opposite Party/s : Mr. Kr. Ranjit Ranjan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-08-2015 Heard learned counsels for the petitioner and the State.

The petitioner being husband of the complainant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A,379 and 323 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

It is submitted by the learned counsel for the petitioner that the complainant has performed marriage with one Sanjay Kumar, as a result, in spite of notice being issued by the learned Sessions Judge, the complainant chose not to appear which gets reflected from the impugned order. However, statement has been

made in paragraph 7 of the petition that the petitioner is ready to keep the complainant as wife with full dignity and honour which reads as follows:

“That the petitioner is the husband of the complainant and he is ready to keep his wife with full dignity and honour.”

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur in connection with Complaint Case No. 2727 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The present order will not preclude the complainant to resume conjugal life. In case she files such application before the learned court below then the learned court below will issue notice to the petitioner to appear when the petitioner will be obliged to comply the undertaking given before this court.

(Dinesh Kumar Singh, J)

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