

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37316 of 2015

Arising Out of PS.Case No. -14 Year- 2015 Thana -MAHILA PS District- JAMUI

=====

Bachchu Sah @ Bachchu Sao son of late Shyam Sah resident of village-Khilar @ Hilar, P.S.- Laxmipur, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Soni Devi @ Sona Devi daughter of Parmeshwar Sao and wife of Ranjeet Sah, resident of village-Khilar @ Hilar, P.S.- Laxmipur, District- Jamui. Presently residing at village- Laxmipur Naudiha, P.S.- Laxmipur, District- Jamui.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nityanand Mishra

For the Opposite Party/s : Mr. Nirmala Kumari(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 15-12-2015

The order dated 27.08.2015 is modified to the extent that the petitioner Bachchu Sah @ Bachchu Sao is the father of the husband of the informant, though, it is wrongly mentioned that the petitioner is the husband of the informant.

The matter was listed under the hearing for 'Orders' due to non-service of notice, but since the informant has entered appearance the matter is being taken up for 'Admission'.

The petitioner being the father of the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Section 498A, 323, 504, 354, 376/511 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the demand of dowry. It is alleged against the petitioner that the petitioner made attempt to ravish the informant.

The informant and the petitioner are present in the Court.

Counsel for the petitioner submits that the son of the petitioner is ready to keep the informant as wife with full dignity and honour and on undertaking the husband of the informant has been granted provisional anticipatory bail for one year vide Cr. Misc. No. 44252 of 2015, but in spite of issuance of notice to the informant by the learned court below the informant has not appeared.

Counsel for the informant submits that the informant will appear before the learned court below on the next date fixed on 23.12.2015. In the circumstances, though the informant is apprehensive due to the past conduct of the accused persons but she is ready to reside with her husband.

Considering the present stand of the informant, let the above named petitioner be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten

thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Jamui Mahila P.S. Case No. 14 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below if the petitioner will not interfere with the matrimonial life of the informant.

(Dinesh Kumar Singh, J)

DKS/-

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