

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50124 of 2014

Arising Out of PS.Case No. -924 Year- 2013 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

- =====
1. Kanhay Sah @ Kanhay Kumar Sah, Son of Rajendra Sah
 2. Rajendra Sah, Son of Late Etwari Sah
 3. Lakshmi Devi, wife of Rajendra Sah. All are residents of village -
Raushanchak Lane Aliganj, P.S. Mouza Lidipur, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi, daughter of Shankar Pd. Sah, resident of village - Kauakoli,
P.S. Nathnagar, District - Bhagalpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate
For the Opposite Party/s : Mr. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

3 21-05-2015 Heard learned counsel for the petitioners and the

State.

Petitioners are apprehending arrest in connection
with a case registered for the offences under Section 498-A of the
Penal Code and Section 34 of the Dowry Prohibition Act.

It is submitted on behalf of the petitioners that earlier
opposite party no. 2 had eloped with the cousin of petitioner no. 1
for which a case under Section 498 of the Penal Code was
registered against the cousin with whom she eloped, in which
charge-sheet dated 31.01.2012, Annexure-2 has been submitted. In
view of the aforesaid charge-sheet counsel for the petitioners

submitted that it may not be possible for the petitioners to resume the matrimonial ties with opposite party no.2.

In view of the submissions made on behalf of the petitioners, let petitioner nos. 2, 3 surrender in the court below within a period of four weeks from the date of receipt/ production of a copy of this order in the Court below and thereafter be released on bail on furnishing bail bonds of Rs. 5,000/-(Rs. Five Thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M., Bhagalapur in connection with Complaint Case No.924/13, subject to the conditions laid down under Section 438(2) Cr.P.C.

So far petitioner no. 1 is concerned, he should surrender in the court below on 05.06.2014 on which date opposite party no. 2 should also appear whereafter the court below shall consider the reasonableness of the stand of petitioner no.1 and opposite party no. 2. In case, dispute between the parties is settled, petitioner no. 1 be released on bail on furnishing bail bonds of Rs. 5,000/-(Rs. Five Thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M., Bhagalapur in connection with Complaint Case No.924/13, subject to the conditions laid down under Section 438(2) Cr.P.C. Even otherwise he should be granted bail if he agrees to pay maintenance amount

of Rs. 2,000/- per month to opposite party no. 2.

This petition is, accordingly, disposed of.

(V.N. Sinha, J)

Rajesh/-

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