

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48983 of 2014

Arising Out of PS.Case No. -222 Year- 2013 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Sanjay Kumar Jha Son of Baldev Jha resident of Village - Bagahi,
Police Station - Sugauli, District - East Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Prem Sheela Devi Wife of Sanjay Kumar Jha resident of Village + P.O.
- Sugaon, Police Station - Sugauli, District - East Champaran.

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Shankar Kumar Thakur

For the Opposite Parties : Mr. Nand Kishor Pd.(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 07-05-2015

Petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 379, 494, 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand and performing second marriage.

In pursuance to the notice issued to O.P. No. 2 vide order dated 13.02.2015, the petitioner and the informant/O.P. No. 2 are present.

The factum of marriage between the petitioner and the informant and birth of two female and one male child are admitted facts. The petitioner denies to have performed second marriage and he is ready to keep the informant along with their children with dignity and honour. The offer is acceptable to the informant.

Both sides agree to appear before learned Court below on 12th of May, 2015 when the petitioner will take the informant along with their children to her matrimonial house to keep them with dignity and honour.

Considering the present stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Sugauli P.S. Case No. 222 of 2013.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

The provisional bail of the petitioner will also not be confirmed if substantial proof comes that petitioner has performed second marriage.

Shageer/-

(Dinesh Kumar Singh, J)

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