

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18049 of 2015

Arising Out of PS.Case No. -254 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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Lalan Sah, Son of Mahendra Sah, resident of Village- Mahavir Chowk,
Ward No. 5, Basopatti, P.S- Basopatti, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Tulsi Devi, daughter of Binod Prasad, resident of village- Kasera
Pokhar, Ward NO. 4, District - Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 09-07-2015 Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No.254 of 2013 registered under Sections 498(A),
323 and 379 of the Indian Penal Code besides Sections 3/4 of the
Dowry Prohibition Act.

There is allegation of torturing and assaulting the
complainant (opposite party no.2) against all the accused persons
named in the complaint petition including the petitioner, who is
the husband of the complainant (opposite party no.2), for non
fulfillment of the dowry demand. It is also alleged that the

complainant (opposite party no.2) was ousted from her matrimonial house while she was pregnant by them.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is the husband of the complainant (opposite party no.2) and the petitioner is still ready to keep the complainant (opposite party no.2) with full honour and dignity. It is further submitted that out of the wedlock of the petitioner and the complainant (opposite party no.2), there is female child of aged about 3 years.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks, be enlarged on provisional bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Madhubani, in connection with Complaint Case No.254 of 2013, subject to the conditions laid down under Section 438(2) Cr.P.C.

Learned trial court is directed to issue notice to the complainant (opposite party no.2) and make attempt to resolve the dispute in between the petitioner and the complainant (opposite party no.2) by taking all possible efforts and if the dispute is resolved in between the complainant (opposite party no.2) and

petitioner, then confirm the provisional bail of the petitioner. If the dispute is not resolved in between the complainant (opposite party no.2) and petitioner then the trial court will pass the order on its own merit.

This application is, accordingly, disposed of.

(Rajendra Kumar Mishra, J)

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