

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33523 of 2013

Arising Out of PS.Case No. -1644 Year- 2010 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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Nagendra Sahani S/O Bhuwan Sahani R/O Vill.- Bairiyadiha, P.S.-
Harsidhi, Dist.- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Permila Devi W/o Nagendra Sahani r/o Bariyadiha P.S. Harsidhi,
District East Chamnparan. At present r/o Murarpur, P.S. Harsidhi,
District East Champaran.

.... 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 V.N. SINHA

ORAL ORDER

6 04-03-2015 Learned counsel for the petitioner has filed
supplementary affidavit, which is taken on record.

Heard learned counsel for the petitioner and the State.
None appears for opposite party no.2 despite service of notice on
her.

Petitioner is apprehending his arrest in connection
with a case registered for the offence under Sections 498A and
other allied sections of the Indian Penal Code and Sections 3/ 4 of
the Dowry Prohibition Act. He is the husband of the complainant.

It is submitted on behalf of the petitioner that he is
ready and willing to continue the matrimonial relationship with the
complainant and for that purpose he shall file an affidavit in the

court below within four weeks from the date of receipt/ production of this order in the court below.

No sooner the aforesaid affidavit is filed in the court below, petitioner above named be released on provisional bail on furnishing bail bond of Rs. 5,000/- (Rs. Five thousand only) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Motihari, East Champaran in connection with Complaint Case No. 1644 of 2010 whereafter complainant should be noticed and once she appears, petitioner in presence of the court should persuade her to come back to the matrimonial home.

In the event complainant comes back to the matrimonial home or the matrimonial dispute is resolved or the complainant is found to be unreasonable, provisional bail allowed to the petitioner should be confirmed, failing which the court below shall be at liberty to pass appropriate orders considering the reasonableness of the stand of the parties.

This application is, accordingly, disposed of.

Let this order be communicated to the court below through fax on payment of usual charges by the petitioner.

(V.N. Sinha, J.)

Arjun/-

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