

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31375 of 2014

Arising Out of PS.Case No. -2090 Year- 2013 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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1. Lal Babu Sah son of Rajendra Sah, Resident of village - Sakra, Police
Station G.B. Nagar, District – Siwan Petitioner

Versus

1. The State of Bihar

2. Mina Devi wife of Lal Babu Sah D/o Vidyarthi Sah R/o village -
Vaishakhi, P.S. Sarai, (O.P.) District – Siwan Opposite Parties

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Appearance :

For the Petitioner : Mr. Bijay Prakash Singh, Adv.

For the State : Mr. Awadhesh Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

2 21-01-2015 Heard the learned counsel for the petitioner and the
State.

This is a petition for grant of anticipatory bail for
offence under Sections 498A /34 of the Penal Code and 3 and 4 of
the Dowry Prohibition Act.

There is allegation of demand and subjecting cruelty.
The learned counsel for the petitioner submits that the petitioner is
ready to keep the victim-wife with due dignity.

Hence, having regard to the facts and circumstances of
the case, the petitioner, above named, in the event of his arrest or
surrender, within four weeks from the date of receipt of this order,
is directed to be released on **provisional anticipatory bail for
four months** on furnishing bail bond of Rs.10,000/- (rupees ten
thousand) with two sureties of the like amount each in connection
with **Complaint Case No. 2090 of 2013** to the satisfaction of the
Subdivisional Judicial Magistrate, Siwan.

The Court, concerned, shall call the victim-wife and if
the victim-wife is ready to go with the husband-petitioner and

petitioner takes her and keeps her with due dignity, then, after four months, on being satisfied that both are living together, then, the trial Court shall confirm the provisional anticipatory bail or if the victim-wife, for any reason, not ready to live and files petition for right of residence against the husband-petitioner, then, the petitioner shall pay maintenance worth Rs.1200/- per month and the trial Court, on being satisfied that the maintenance is being paid, shall confirm the bail bond after four months.

(Gopal Prasad, J)

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