

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19768 of 2016

Arising Out of PS.Case No. -352 Year- 2014 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

=====

1. Gopal Sah Son of Yogendra Sah Resident of village - Lagma, P.S.
Dumra, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Sheela Devi Wife of Gopal Sah and daughter of Late Jagdish Sah
Resident of village - Lagma, P.S. Dumra, District - Sitamarhi Presently
residing at village Raipur, P.S. Nanpur, District - Sitamarhi

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Mr. S.D. Singh Yadav (App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 16-05-2016 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since
18.12.2015 in a complaint case filed with accusation under
Section 498A of the Indian Penal Code.

The basic accusation is of torture after fifteen years
of marriage.

It is submitted by the learned counsel for the
petitioner that since there was no issue from the complainant,
the petitioner performed second marriage and the petitioner is
ready to keep the complainant as wife with full dignity and

honour. Statement to that effect has been made in paragraph 17 of the petition which reads as follows:

“That, the petitioner is ready to keep the petitioner as his wife with full dignity and surety.”

It is submitted by learned counsel for the complainant that though she is ready to reside in the house of the petitioner but she is not being allowed to enjoy her share of property in the matrimonial house. The petitioner is ready to file an affidavit before the learned court below that he will allow the informant to enjoy her share of property in the matrimonial house.

Considering the aforesaid facts, let the above named petitioner be released on provisional bail for six months on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Pupri at Sitamarhi in connection with Complaint Case No. CI-352 of 2014.

The affidavit so filed by the petitioner to the effect that he will allow the informant to enjoy her share of property in the matrimonial house will be sent to the concerned I.O. The learned court below will confirm the provisional bail of the petitioner after taking statement of the informant and

WE
NOT

the report from the concerned police station to the effect that
the petitioner has complied the undertaking given before this
court.



(Dinesh Kumar Singh, J)

Anil/-

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