

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4476 of 2016**

Arising Out of PS.Case No. -298 Year- 2015 Thana -BAHERA District- DARBHANGA

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1. Chandan Sah @ Chandan Sahu S/o- Ramkhelawan Sahu @ Ramkhelaban Sah, Resident of Village- Balha, P.S.- Behera, District- Darbhanga

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Anita Devi, W/o- Chandan Sah @ Chandan Sahu, Resident of Village- Balha, P.S.- Behera, District- Darbhanga

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar Jha  
For the Opposite Party/s : Mr. U.S.P.Singh(App)

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

2      28-01-2016                      Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offence punishable under Sections 341,323,498A and 504/34 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

On instructions, it is submitted that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and

honour. Statement to the aforesaid effect has been made in paragraph no. 9 of the petition which reads as follows:

“ That the petitioner has love with his wife and still the petitioner is ready to keep his wife with full dignity and honour.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Benipur, Darbhanga in connection with Behera P.S. Case No. 298 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant and on her appearance the petitioner will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities –  
(i) if the matrimonial harmony is substantially restored or



(ii) if the informant fails to appear before the learned court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.

**(Dinesh Kumar Singh, J)**

Anil/-

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