

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31128 of 2016

Arising Out of PS.Case No. -171 Year- 2015 Thana -BABUBARHI District- MADHUBANI

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CHANDESHWAR SAHU @ CHANDESHWAR SAH @ CHANDESAR
SAHU, S/o Ram Kumar Sahu, resident of village- Pirhi, P.S.- Babubarhi,
District- Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Sri Gajendra Prasad Yadav

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

2 26-07-2016

Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered
for the offences punishable under Section 323, 498A,
379, 307, 504/34 of the Indian Penal Code and 3/4 of the
Dowry Prohibition Act.

The basis accusation is of torture for non-
fulfillment of dowry demand and making assault to the
informant.

It is submitted by learned counsel for the
petitioner that petitioner admits his marriage with the
informant. The petitioner has filed Matrimonial Suit No.
250 of 2015 on 15.09.2015 for restitution of conjugal life
and thereafter the present First Information Report was



lodged on 09.12.2015. The petitioner is still ready to keep the informant as wife with full dignity and honour. Though, the informant was earlier married to some other person, but in spite of that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraphs- 13 and 14 of the petition which reads as follows:-

“13. That the petitioner discovered that complainant was earlier married to a man of village Loha, P.S.- Kaluahi, District- Madhubani which was concealed by the complainant.

14. That in this circumstances also the petitioner is ready to keep the complainant as wife. ”

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 his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Madhubani in connection with Babubarhi P.S. Case No. 171 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant 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 within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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