

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7934 of 2016

Arising Out of PS.Case No. -35 Year- 2013 Thana -MAHILA P.S. District- MADHUBANI

Sanjeev Sah S/o Bishwanathy Sah Resident of Village- Charaut P.s
Charaut District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Renu Devi D/o Harihar sah R/o Village- Chanpura P.s Banipatti Distn
Madhepura.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Mr. Nirmala Kumari(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 05-04-2016

Heard learned counsels 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 Sections 323, 341, 379, 307, 308, 420,
498A/34, 313 of the Indian Penal Code and 3/4 of Dowry
Prohibition Act.

The basic accusation is of torture for non-
fulfillment of dowry demand, making assault and getting the
pregnancy terminated.

The petitioner and the informant are present in
the Court.

It is submitted by learned counsel for the petitioner 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 that effect has been made in paragraph 6 of the petition, which reads as follows:-

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

Counsel for the informant submits that the informant is ready to accept the offer of the petitioner provided he keeps the informant at the place of his employment.

The petitioner is ready to take the informant from the Court itself when the informant is ready to accept the offer of the petitioner.

Considering the present stand of the parties, 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 Sub-divisional Judicial Magistrate, Madhubani in connection with Madhubani (Mahila) P.S. Case No. 35 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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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