

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8420 of 2017

Arising Out of PS.Case No. -121 Year- 2016 Thana -WARSALIGANJ District- NAWADA

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Sanjay Lahkar @ Sanjay Kumar Gupta, Son of Late Visawnath Lahkar,
Resident of Village Mau Bazar, Vidyapati, P.S. Vidyapati, District -
Samastipur.

.... Petitioner

Versus

1. The State of Bihar.
2. Anita Devi daughter of Rajendra Prasad Lahkar resident of Village -
Uttar Bazar, P.S. Warsaliganj, District Nawada.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sheo Kumar Prasad, Advocate.
For the Opposite Parties : Mr. Kumar Ranjit Ranjan, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 24-05-2017 Heard both sides.

The petitioner apprehends his arrest in Warisaliganj P.S.
Case No. 121 of 2016 registered for the offences punishable under
Sections 307, 498A and other Sections of the Indian Penal Code.

The wife of the petitioner made allegation that her husband
subjected her to all sorts of torture, due to non-fulfillment of additional
demand of dowry and on account of such torture the informant was
living in her parents' house with her two children. On 12.05.2016, the
informant went to her Sasural after being informed that the condition of
her mother-in-law was serious but, after death of her mother-in-law the
petitioner again tied her hand and feet and brutally assaulted her.

Learned counsel for the petitioner submits that the police
after investigation submitted charge sheet under Sections 498A and 323



of the Indian Penal Code. The petitioner is always ready to keep his wife with full honour and dignity. On such submission learned counsel for the informant submits that the wife is also ready to live with her husband provided her husband gives undertaking to keep her with full honour and dignity.

Considering the facts aforesaid and the facts that there is every likelihood for restoration of the marital relation between the husband wife, the petitioner above named is directed to surrender in the court below within four weeks from the date of receipt/production of a copy of this order and the court below shall enlarge the petitioner on provisional bail for four months on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in Warisaliganj P.S. Case No. 121 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and if the petitioner keeps his wife properly the court below shall confirm the provisional bail of the petitioner and if the petitioner fails to keep his wife properly the court below shall pass order on provisional bail of the petitioner in accordance with law immediately after expiry of four months.

(Prabhat Kumar Jha, J.)

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