

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17410 of 2017

Arising Out of PS.Case No. -72 Year- 2014 Thana -MAHILA P.S. District- MADHUBANI

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Manoj Sah @ Manoj Kumar Sah Son of Ram Prasad Sah @ Sahu Resident
of Village - Bhalpatti, P.S. Bhalpatti (O.P.), District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Renu Devi Daughter of Raj Kumar Sah Resident of Village - Mohan Bodhiyam, P.S. Sakari, District - Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 05-07-2017 Heard both sides.

The petitioner apprehends his arrest in Madhubani Mahila P.S. Case No. 72/2014, registered for the offences punishable under Section 498A and other sections of the Indian Penal Code and sections 3, 4 of the Dowry Prohibition Act.

The informant made allegation of demand of dowry and torture against the petitioner.

Learned counsel for the petitioner submits that petitioner is ready to keep his wife.

Learned counsel for the informant submits that the wife is also ready to live with her husband provided that her husband keeps her properly. It is also submitted that the petitioner



has already solemnized second marriage and one case is pending against the petitioner, but it appears that police after investigation submitted charge-sheet under Section 498A and other sections of the Indian Penal Code. The allegation of solemnizing second marriage is not found true.

Considering the facts aforesaid and the fact that husband and wife are willing to live together, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on 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 Sub-Divisional Judicial Magistrate, Madhubani in connection with Madhubani Mahila P.S. Case No. 72/2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

Thereafter, the court below shall make all efforts for resolution of the dispute between husband and wife, if the husband (petitioner) keeps his wife properly, learned court below shall confirm the provisional bail granted to the petitioner. If the petitioner does not keep his wife properly, learned court below shall pass order in accordance with the law, immediately after



lapse of four months on provisional bail.

(Prabhat Kumar Jha, J.)

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