

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65969 of 2018

Arising Out of PS. Case No.-672 Year-2015 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

Om Prakash Sah, Son of Naga Sah @ Nagina Sah, Resident of Village-
Bediban, Madhuban, P.S.- Pipra, District- East Champaran.

... .. Petitioner

Versus

1. The State of Bihar.
2. Kunti Devi, Daughter of Late Heera Sah, Resident of Village- Bheriharwa,
P.S.- Muffasil Motihari, District- East Champaran.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra
For the Opposite Party/s : Mr. Sri Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-12-2018

Heard learned counsel for the parties.

This application for bail arises out of Complaint Case No. C-672/205 (Tr. No. 1693/2018) for the offences under Section 406, 498(A)/34 and 504 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act..

The petitioner was granted provisional anticipatory bail with certain conditions, by this Court by order dated 04.12.2015 in connection with the aforesaid complaint case, as under :-

**“The provisional bail of the petitioner will be confirmed by learned court below in three eventualities
(i) if the matrimonial harmony is substantially restored
(ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.”**



Since the petitioner is said to have failed to appear before the Court below at some point of time, his bail bonds have been cancelled.

Considering the fact that the nature of dispute is matrimonial, the application is allowed.

Let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. (Sadar), Motihari in Complaint Case No. C-672/205 (Tr. No. 1693/2018).

(Chakradhari Sharan Singh, J)

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