

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74352 of 2018

Arising Out of PS. Case No.-25 Year-2018 Thana- MAHILA P.S. District- Rohtas

Shatrudhan Sah @ Shatrudhan Kumar Sah @ Shatrudhan Kumar, Son of
Ramakant Sah, Resident of Village- Pachrukhiya, Police Station-Piro,
District-Bhojpur. Petitioner/s

Versus

1. The State of Bihar.
2. Puja Devi, Daughter of Kariman Sah, Resident of Village- Jamorhi, Police
Station-Birkramganj, District-Rohtas. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate
For the Opposite Party/s : Smt. Reena Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and the State
as well as opposite party no.2.

The petitioner apprehends his arrest in connection
with Mahila Police Station Case No. 25 of 2018 for the offence
under Sections 498A, 341, 323, 406/34 of the Indian Penal Code
and Section 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the
petitioner is ready to keep opposite party No.2 as wife with full
dignity and honour.

Learned counsel for the opposite party No. 2 submits
that she is ready to stay with her husband provided that the
petitioner (husband) keeps her as wife with full honour and
dignity and takes care.

Considering the submissions advanced by the parties



and there is chance of settlement of dispute between the husband and wife, the petitioner named above, in the event of arrest or surrender before the court below within one month from today, is directed to be released on **provisional bail for a period of one year** on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Rohtas at Sasaram in connection with Mahila Police Station Case No. 25 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the further condition that **one of the bailors should be the wife of the petitioner**, which is accepted by the learned counsel appearing on behalf of opposite party no.2.

In the meantime, the petitioner is under obligation to keep his wife with honour and full dignity.

On completion of one year, the court below will assess the relationship of husband and wife and if it is found that there is transformation in the behaviour of the husband and the wife and normalcy is restored, the court below will make the provisional bail of the petitioner absolute.

(Anil Kumar Upadhyay, J)

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