

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7252 of 2019

Arising Out of PS. Case No.-1722 Year-2016 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

ANIL SAH S/o Gyanchand Sah R/o Village- Karrakha, P.S- Vibhutipur,
District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rita Devi W/o Anil Sah R/o Village- Karrakha, P.S- Vibhutipur, Distt-
Samastipur at present Resident of Village- Bachauli, P.S- Khanpur, Distt-
Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 07-05-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.1722 of 2016 T.R.No.2265 of 2018 registered for offences punishable under Sections 498A, 323, 504 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act..

Allegation against the petitioner is of subjecting his wife to cruelty with respect to demand of dowry.

Submission of the learned counsel for the petitioner is that the allegation is false and concocted and as a matter of fact he is still ready to keep her with dignity and care.

Heard learned A.P.P. and the learned counsel for the



O.P.no.2. They have opposed the prayer for bail on the ground that she is ready to reside with him if he assures that he will not subject to her cruelty..

Having heard both sides and in view of submission of both the parties, let the petitioner surrender on 23.5.2019 before the learned court below and on that day the O.P.no.2 shall also remain present in the court below and on filing an affidavit by the petitioner that he will keep her with dignity and care and will not subject her to cruelty and ready to take her from the court itself, the petitioner shall be released on provisional bail in connection with Complaint Case no.1722 of 2016, T.R.No.2265 of 2018 for a period of six months and during that period the petitioner and O.P.no.2 shall appear before the learned court below in the first week of every month so that the court may watch their conduct and matrimonial relationship especially the conduct of the petitioner and on being satisfied with the conduct of the petitioner, the learned court below shall confirm the bail bond of the petitioner otherwise he is free to pass any other order or orders as he deems fit and proper including cancellation of the bail bond of the petitioner.

It is needless to say that O.Pno.2 shall also co-operate in revival of happy marital relationship.



With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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