

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26803 of 2019

Arising Out of Case No.-127 Year-2018 ROHTAS COMPLAINT CASE District- Rohtas

RAHUL SAH Son of Sri Ramesh Sah Resident of Village- Sarfora, P.O.-
Jamodhi, P.S.- Tarari, District- Bhojpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Pooja Kumari Wife of Rahul Sah Resident of Village- Sarfora, P.O.-
Jamodhi, P.S.- Tarari, District- Bhojpur, at present daughter of Sunil Prasad,
Resident of Village- Kastar Mahadev, P.S.- Bikramganj, District- Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Narayan Singh.1
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 27-09-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint case
No. 127/ 2018 for the offences allegedly committed by the
petitioner under Section 498A/34 of the IPC.

The learned counsel for the petitioner submits that
the petitioner is husband and he is ready to keep his wife with
all honour and dignity.

The learned counsel for the complainant submits that
the complainant is also ready to live with petitioner provided her
husband would not have solemnized second marriage.

Taking into consideration the facts aforesaid and the
undertaking given by the petitioner that he is ready to keep his



wife with all proper care, the petitioner, above named, is directed to surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order and on such the learned court below shall enlarge the petitioner on provisional anticipatory bail for four months on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Bikramganj, Rohtas in connection with Complaint case No. 127/ 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The learned court below shall make all efforts for resolving the dispute between the husband and wife and if the petitioner is ready to keep his wife properly the provisional bail granted to the petitioner shall be confirmed. If the petitioner fails to keep his wife properly, the learned court below shall pass order on the provisional bail of the petitioner, in accordance with law, immediately after four months.

(Prabhat Kumar Jha, J)

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