

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33622 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- MAHILA P.S. District- Madhubani

PRAMOD SAHU, aged about 31 years, Male, Son of Ram Avatar Sahu
Resident of Village - Thadhi, P.S.- Andhrathadhi, Distt - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi Wife of Pramod Sahu, D/o Ramjee Sahu Resident of Village -
Thadhi, P.S.- Andhrathadhi, Distt - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-05-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P.

The petitioner apprehends his arrest in Mahila P.S.
Madhubani Case No.45 of 2018 registered under Sections 341,
323, 498(A), 379 and 34 of the Indian Penal Code and under
Sections 3 and 4 of the Dowry Prohibition Act.

The informant, wife of the petitioner, made allegation
of demand of dowry and torture against the petitioner. Informant
alleged that on account of assault made by the petitioner, her
tooth was broken and in presence of his father, the accused
persons assaulted her and drove her out from the house.

The learned counsel for the petitioner submits that



petitioner is ready to keep his wife but the wife was present before the learned Sessions Judge and she was not willing to accompany the petitioner. Petitioner is ready to keep his wife with all honour and dignity.

Learned counsel for the informant submits that if the petitioner keeps the informant properly she has got no hesitation to accompany her husband and she is also willing to restore her conjugal relation.

Taking into consideration the facts that husband and wife appeared to be willing to restore their conjugal relations, let the petitioner, above named, is directed to surrender before the court below within a period of four weeks from the date of receipt of this order and on such, learned court below shall enlarge the petitioner on provisional bail for four months on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Madhubani or any other transferring court in connection with Mahila P.S. Madhubani Case No.45 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioner shall surrender before the court below intimating the learned counsel for the informant so that the



informant may also appear in Court on the date of surrender of the petitioner.

Thereafter, the learned court below shall make efforts for resolution of the disputes between husband and wife. If the petitioner keeps his wife properly, learned court below shall confirm the provisional bail granted to the petitioner and if the petitioner fails to keep his wife with all honour and dignity without the fault of the wife, learned court below shall pass order on provisional bail of the petitioner in accordance with law immediately after lapse of four months.

(Prabhat Kumar Jha, J)

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