

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41561 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- CHANPATIA District- West Champaran

Arvind Kumar Sah @ Arvind Sah @ Arvind Kumar, Aged about 26 years, Male, Son of Baldeo Sah, Resident of Village Sikta Kala, P.S. Shanichari O.P. District West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dipanwita Kumari, Aged about 22 years, Female, W/o Arvind Kumar Sah @ Arvind Sah, D/o Kamlesh Sah, Resident of Village-Chuhadi, P.S.- Chanpatiya, District-West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-07-2019 Heard both sides.

Petitioner apprehends his arrest in Chanpatiya P.S. Case No.09 of 2019, registered under Sections 498A and 34 of the Indian Penal Code and 3 and 4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that petitioner is the husband of the informant. The wife made all sorts of allegation of demand of dowry and torture but all the allegations are false and concocted. In fact the wife does not want to live with the petitioner and for that the petitioner has already filed suit for restitution of conjugal rights. The petitioner is ready to keep his wife with all honour and dignity. The father of the informant took her to his house.



Taking into consideration the fact that the petitioner is willing to restore conjugal relation with his wife and for that the petitioner also filed suit for restitution of conjugal rights, petitioner is directed to surrender in the court below within four weeks from the date of receipt of this order and on such the learned court below shall enlarge the petitioner on provisional bail for four months on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bettiah, West Champaran in connection with Chanpatiya P.S. Case No.09 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C. Thereafter the learned court below shall make efforts for resolution of the dispute between the husband and wife. If the petitioner keeps his wife with all honour and dignity, the provisional bail granted to the petitioner shall be confirmed. If the petitioner fails to keep his wife without fault of his wife, the learned court below shall dispose of the provisional bail of the petitioner in accordance with law immediately after lapse of four months.

(Prabhat Kumar Jha, J)

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