

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45334 of 2019

Arising Out of PS. Case No.-1860 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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SHARMA SAH Son of Jhulan Sah Resident of Village - Ahirwalia, P.S.-
Manjhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Pramila Devi Wife of Sharma Sah, D/O- Tulshi Sah Resident of Village -
Pakrhi, P.S.- Mirganj, District- Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Singh

For the Opposite Party/s : Mr.Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-10-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Complaint Case No. 1860 of 2018, Tr. No.

1690 of 2019, registered for the offences punishable under

Sections 498A, 406 of the Indian Penal Code and Section 3/ 4 of

Dowry Prohibition Act.

This case is under Section 498A of the I.P.C.

Petitioner happens to be husband of the complainant and there is

allegation of demand of dowry and subjecting the complainant

to torture and ousted her from the house.

Submission of the learned counsel for the petitioner

is that the whole allegation is false and concocted and he is

ready to keep her with full dignity and care.



On the other hand, the opposite party No. 2 has appeared and submitted that she is also ready to reside with the petitioner, if she is allowed to live with full dignity and care.

In view of the above facts and circumstances, let the petitioner, above named, surrender before the Court below on 15.11.2019 and on that day the opposite party no.2 shall also remain present in the Court, and further on filing of an affidavit by the petitioner that he is ready to keep her with full dignity and care and to take her from the Court itself, then he will be released on provisional bail for a period of six months on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned A.C.J.M. XVI, Gopalganj, in connection with Complaint Case No. 1860 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. During that period, the learned Court below shall watch the conduct of both the parties and further directs that both the parties shall appear in the fourth week of each month before the learned Court below. Once the Court below is satisfied with the conduct of both the parties, and their marital relationship, especially the conduct of the petitioner, the Court below either confirm the bail bonds of the petitioner or pass any other orders,



which may deem fit and proper, including cancelling the bail bonds of the petitioner.

It is made clear that if the opposite party no. 2 does not appear on that day before the Court below or not to choose to reside with the petitioner, the provisional bail granted to the petitioner shall be confirmed.

(Vinod Kumar Sinha, J)

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