

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46321 of 2019

Arising Out of PS. Case No.-93 Year-2018 Thana- KATIHAR COMPLAINT CASE District-
Katihar

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ARUN KUMAR @ ARUN KUMAR SAHANI Son of Ramu Sahani Resident
of Village-Sinha, P.O-Jallowal,Khanr, P.S-Wabbewal, District-Hoshiyarpur
(Punjab).

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Dhanjani Wife of Arun Kumar, D/o Ganga Sahani Resident of Village-
Madheli, P.O.-Jalahi, P.S.-Barari, District-Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Harish Chandra Patel, Advocate
For the Opposite Party/s	:	Mr.Shyam Bihari Singh, APP
For O. P. No. 2	:	Mr. Ratnakar Ambastha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 26-09-2019 Heard learned counsel for the petitioner and learned

counsel for the complainant as also learned counsel for the O. P.

No. 2.

The petitioner in the present case who is the husband
is seeking anticipatory bail in connection with Complaint Case
No. C-93 of 2018 in which cognizance for the offence has been
taken under Section 498(A) of the Indian Penal Code and
Section 4 of Dowry Prohibition Act.

Learned counsel submits that with an intention to
resolve the dispute amicably he is willing to take the
complainant-opposite party no. 2 to her matrimonial home
where she will reside with the petitioner and the children.



Learned counsel for the O. P. No. 2 submits that the petitioner has been keeping his mother and children at the place of his work but he is not taking this complainant to his place of residence and the complainant has been living alone. Other allegations have also been levelled against the petitioner.

Considering the facts and circumstances of the case where the petitioner is giving an undertaking through learned Advocate that he will take the opposite party no. 2 to his house where he is serving and will live with her along with the children and other family members, let the petitioner above named, in the event of his arrest or surrender within a period of four weeks from today in Complaint Case No. C-93 of 2018 be released on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Katihar, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

In case the petitioner commits breach of his undertaking, it will be open for the complainant-opposite party no. 2 to move an application for cancellation of his bail.

(Rajeev Ranjan Prasad, J)

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