

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47142 of 2019**

Arising Out of PS. Case No.-383 Year-2017 Thana- BEGUSARAI COMPLAINT CASE  
District- Begusarai

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Dharmendra Sahni, Son of Ram Bilash Sahni, Resident of Village - Boria Mahthi Mohanpur, P.S.- Bibhutipur, Dist.- Samastipur.

... .. Petitioner

Versus

1. The State of Bihar
2. Malti Devi, W/o Dharmendra Sahni, D/o Bindeshwari Sahni, Resident of Village - Boria Mahthi Mohanpur, P.S.- Bibhutipur, Dist.- Samastipur, At Present Resident of Village - Rashidpur, P.S.- Bachwara, Dist.- Begusarai.

... .. Opposite Parties

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**Appearance :**

|                      |   |                                 |
|----------------------|---|---------------------------------|
| For the Petitioner/s | : | Mr.Binod Kumar, Advocate        |
| For the O.P. No. 2   | : | Mr. Jai Prakash Singh, Advocate |
| For the State        | : | Mr.Asha Kumari, A.P.P.          |

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

4      14-10-2019                      Heard learned counsel for the petitioner and learned  
learned counsel for the opposite party no. 2.

Petitioner in the present case is seeking anticipatory bail in connection with Complaint Case No. 383C of 2017 in which cognizance has been taken for the offences punishable under Section 498(A) of the Indian Penal Code and 4 of Dowry Prohibition Act.

Learned counsel for the parties have submitted that they are willing to amicably resolve the dispute and for that reason the petitioner submits that he would visit the Maika/house of the opposite party no. 2 to bring her back to



matrimonial home.

Learned counsel for the petitioner submits that if the petitioner will go to Maika/house of the opposite party no. 2 within two weeks from today and shall bring her back where she will be allowed to live with full dignity and care.

Learned counsel for the opposite party no. 2 submits that if the petitioner visits the Maika/house of opposite party no. 2 within the aforesaid period, she will definitely accompany him and would live with the petitioner as wife with full dignity and peacefully in the matrimonial home.

In the aforesaid view of the matter, let in the event of his arrest or surrender within a period of four weeks from today, the petitioner abovenamed be enlarged on provisional bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand ) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Begusarai in connection with Complaint Case No. 383C/2017, subject to the condition 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.

And, further condition is that the petitioner shall abide by his undertaking to bring opposite party no. 2 to her matrimonial home within the aforesaid period where he will live with opposite party no. 2 giving her full dignity and care. In case, the petitioner fails to abide by any of the conditions mentioned above it will be open for the opposite party no. 2 to file an appropriate application for cancellation of bail.

On the petitioner's complying with the aforesaid conditions and undertaking the court below shall confirm the provisional bail after recording the statement of the complainant.

**(Rajeev Ranjan Prasad, J)**

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