

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48641 of 2019**

Arising Out of PS. Case No.-204 Year-2019 Thana- KAHALGAON District- Bhagalpur

Sujit Kumar Son of Sri Hare Ram Sah, Resident of Village- Pakki Saray, P.S.-
Ghogha, District – Bhagalpur. Petitioner/s

Versus

1. The State Of Bihar
2. Moni Kumari Wife of Sri Sujit Kumar daughter of Sri Janardhan Sah,
Resident of Mohalla- Purani Bazar, Sikargarh Tola, Ward No- 7, P.S.-
Kahalgaon, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navjot Yesu
For the Opposite Party/s : Mr.Mohammad Sufyan

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 06-08-2019 Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned APP for the State.

The petitioner apprehends his arrest in Kahalgaon P.S.
Case No.204 of 2019 registered under Section 498A of the
Indian Penal Code and under Section 3/4 of the D.P. Act.

The informant is the wife of the petitioner. The
informant made allegation of demand of dowry against the
petitioner. She further alleged that the petitioner snatched her
three months' child and kept the child with him.

Learned counsel for the petitioner submits that the
petitioner is the husband and he is ready to keep his wife on any
undertaking. The petitioner will hand over the said child to his
wife within one week. On such, the learned counsel for the
informant submits that the wife is also ready to live with her



husband provided that the petitioner must keep his wife with all honour and dignity.

Having considered the facts and the undertakings given by the petitioner, the above named petitioner is directed to surrender in the court below within four weeks from the date of receipt/production of a copy of this order and the court below shall enlarge the petitioner on provisional bail for four months on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhagalpur in connection with Kahalgaon P.S. Case No.204 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and the court below shall make efforts for reconciliation between the husband and the wife. If the dispute is resolved and the petitioner keeps his wife properly, the provisional bail granted to the petitioner shall be confirmed and if the dispute is not resolved between the husband and the wife, the court below shall pass order in accordance with law on the provisional bail of petitioner immediately after lapse of four months. The petitioner will hand over the child to his wife within a week from today.

(Prabhat Kumar Jha, J)

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