

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53179 of 2019**

Arising Out of PS. Case No.-947 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Vinod Sahani, Aged about 41 years, Male, Son of Gokul Sahani, Resident of Village Chorma Duwaha, P.S. Pakridayal, District East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tetari Devi, Wife of Vinod Sahni, D/o Bandu Sahni, Resident of Village Chorma Duwaha, P.S. Pakridayal, District East Champaran, At present Resident of Village Mandipur Mallick, P.S. Madhuban, District East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tondon

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-08-2019 Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State as well as learned counsel appearing on behalf of the complainant.

Petitioner apprehends his arrest in Complaint Case No.C-947/2018 for the offences allegedly committed by the petitioner under Sections 498A and 34 of the Indian Penal Code as well as under Sections 3 of the Dowry Prohibition Act.

At the outset of the argument, Shri D.K. Tandon, the learned counsel appearing on behalf of the petitioner-husband of the complainant submits that the petitioner is ready to keep his wife with all honour and dignity. On such, Shri Pramod Kumar Pandey, the learned counsel for the complainant submits that the wife is also ready to live with her husband provided her husband



keeps her with all honour and dignity.

Taking into consideration the fact that both husband and wife are willing to restore their conjugal relation after sinking their differences, the 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., Sadar, East Champaran, Motihari in connection with Complaint Case No.C-947/2018, 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 and 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 properly, the learned court below is directed to pass order in accordance with law on the provisional bail of the petitioner immediately after lapse of four months.

(Prabhat Kumar Jha, J)

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