

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55662 of 2019

Arising Out of PS. Case No.-1189 Year-2017 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Sanjay Kumar Sah @ Ajay Kumar Sah, Son of Indrajeet Sah, Resident of
Village- Hariharpur, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanju Devi, W/o Sanjay Kumar Sah @ Ajay Kumar Sah, D/o Inardeo Sah
Resident of Village- Panapur Langa, P.S.- Hajipur Sadar, Dist- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-09-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 1189 of 2017, disclosing

offences under Sections 498A, 34 and 494 of IPC.

Allegation against the petitioner, who happens to be
the husband of the complainant is ousting her from the house for
demand of dowry. It further appears from the perusal of the
impugned order that he has married with another lady. From the
impugned order it also appears that both the parties fight in the
Court and the complainant has refused to identify him
(Petitioner) and they started making allegation and counter
allegation against each other.

Submission of the learned counsel for the petitioner is



that he is still ready to keep her with dignity and care and he has admitted that he has married with another lady. It has also been submitted that he is ready to bear the expenses at present.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also.

Considering the fact that complainant has appeared before the learned Sessions Judge and the reconciliation failed and as such, there is no purpose of sending notice to the opposite party no.2.

Having heard both sides, this application is disposed of with a direction to the petitioner to surrender before the court below within a period of two weeks from the date of receipt of certified copy of this order and on condition that petitioner is ready to pay Rs.3000/- per month to the opposite party no.2 for a period of one year. During that period, it is expected that opposite party no.2 shall move before the Family Court for grant of maintenance, in which, the petitioner shall co-operate and will abide by any order either interim or final passed unless it is set aside or refused by any higher authority. On the above conditions, petitioner shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned



S.D.J.M. Vaishali, Hajipur, in connection with Complaint Case
No. 1189 of 2017, subject to the condition laid down under
Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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