

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56661 of 2019

Arising Out of PS. Case No.-343 Year-2018 Thana- MIRGANJ District- Gopalganj

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1. SANJEEV SAH Son of Bijendra Sah
 2. Kanti Devi Wife of Bijendra Sah
 3. Bijendra Sah @ Bijendra Prasad Son of Late Bandhu Sah
 4. Arti Devi Wife of Raju Sah
- All are resident of Village - Saheba Chak, P.S.- Mirganj, Distt. - Gopalganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Dinanath Prasad Son of Late Shankar Sah Resident of Village - Biratola,
P.S.- Jamobazar, Distt.- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-09-2019 Learned counsel for the informant appeared by filing vakalatnama.

Heard both sides.

The petitioners apprehend their arrest in Mirganj P.S.
Case No.343 of 2018 registered under Sections 498A of the
Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

The petitioner No.1 is husband, petitioner Nos.2 and 3
are mother-in-law and father-in-law of the daughter of the
informant and petitioner No.4 is sister-in-law(gotni) of the
daughter of the informant.



The learned counsel for the petitioners submits that petitioner No.1 is ready to keep his wife with all honour and dignity. Petitioners never demanded any dowry nor tortured her.

Learned counsel for the informant as well as learned A.P.P. submits that wife is also willing to restore conjugal relation.

Taking into consideration the fact that husband and wife are willing to restore conjugal relation after sinking their differences, let the petitioner Nos.2 to 4, above named, who are father-in-law, mother-in-law and sister-in-law of the daughter of the informant, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XVI, Gopalganj in connection with Mirganj P.S. Case No.343 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the case of petitioner No.1 is concerned, petitioner No.1 is the husband and he is also willing to keep his wife. The wife is also willing to restore conjugal relation.



Taking into consideration the facts aforesaid, let the petitioner No.1, above named, is directed to surrender before the court below within a period of four weeks from the date of receipt of this order and on such, learned court below shall enlarge the petitioner No.1 on provisional bail for four months on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XVI, Gopalganj in connection with Mirganj P.S. Case No.343 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Thereafter, the learned court below shall make efforts for resolution of the disputes between husband and wife. If the petitioner No.1 keeps his wife properly, learned court below shall confirm the provisional bail granted to the petitioner No.1 and if the petitioner No.1 fails to keep his wife with all honour and dignity without the fault of his wife, learned court below shall pass order on provisional bail of the petitioner No.1 in accordance with law immediately after lapse of four months.

(Prabhat Kumar Jha, J)

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