

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16279 of 2020

Arising Out of PS. Case No.-481 Year-2019 Thana- CHIRAIYA District- East Champaran

Kamlesh Sah @ Kamlesh Saha, Son of Sukhdev Sah Resident of Village -
shirona, P.S. - Shikarganj, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s : Mr. Ashraf Ansari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-06-2020 The matter has been taken up through virtual court proceeding.

Heard learned counsels for the petitioner and the State.

The petitioner, being the husband of the informant, who is languishing in custody since 15.01.2020, has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 341, 323 and 498A of the IPC and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case, as per the written report of, Kavita Devi, submitted to the S.H.O., Chiraiya Police Station is to the effect that the informant was married with the petitioner in the year 2017, but subsequent to the marriage, due to non-fulfillment of the further dowry demand of a refrigerator and



other articles, the informant was tortured and ultimately, she was driven out from her matrimonial house by all the accused persons including the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in paragraph no. 8 of the petition, which reads as follows:-

“That it is stated and submitted that petitioner is ready to keep the informant with full love and dignity.”

It is further submitted that the investigation has already been concluded.

Learned counsel for the State submits that the thrust of accusation is against the petitioner, being the husband of the informant.

Considering the nature of accusation, period under custody, investigation already being concluded and the present stand of the petitioner that he is ready to keep the informant as wife with full dignity and honour, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned SDJM, Sikrahana at Dhaka, East Champaran in connection with Chiraiya (Shikarganj) P.S. Case No. 481 of



2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned SDJM, Sikrahana at Dhaka, East Champaran in connection with Chiraiya (Shikarganj) P.S. Case No. 481 of 2019.

The learned Court below will be at liberty to extend the further period of provisional bail if the lockdown is not over in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

