

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15462 of 2020

Arising Out of PS. Case No.-2071 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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RAJESH SAHANI, aged about 30 years, Male, Son of Shankar Sahani,
Resident of Village - Khairwa, P.S. Madhuban, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Dhanmanti Devi @ Dhanvanti Devi, Daughter of Santosh Sahani, Resident of Village - Lahladpur, P.S. Madhuban, District - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Umesh Chandra Verma, Advocate
For the State	:	Mr. Sanjay Kumar Sharma, APP
For the Complainant	:	Mr. Pratyush Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 05-11-2020 Heard Mr. Umesh Chandra Verma, the learned counsel for the petitioner, Mr. Sanjay Kumar Sharma, the learned Additional P.P. and Mr. Pratyush Singh, the learned counsel appearing on behalf of the complainant through video conferencing.

The petitioner apprehends his arrest in Complaint Case No. C – 2071 of 2018 for the offences allegedly committed by the petitioner under Section 498A of the Indian Penal Code and under Sections 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner is the husband of the complainant. The complainant earlier left her house in the absence of the petitioner and fled away with one Balvindar Singh along with her children but even then the petitioner is ready to keep his wife. On such submission, Mr. Pratyush Singh, the learned counsel for the



complainant submits that the complainant is ready to live with her husband.

Taking into consideration the facts that the husband and wife are willing to restore their conjugal relation, the petitioner is directed to surrender in the court below within six weeks from the date of receipt of this order and on such, the learned court below shall enlarge the petitioner on provisional bail for six 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 Sub-Divisional Judicial Magistrate, Sadar, Motihari, East Champaran in connection with Complaint Case No. C – 2071 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

Thereafter the learned court below shall make efforts for resolution of the dispute between the husband and the wife. If the dispute is resolved amicably, the provisional bail granted to the petitioner shall be confirmed. If the dispute is not resolved amicably, the learned court below shall pass order in accordance with law on the provisional bail of the petitioner immediately after lapse of six months.

(Prabhat Kumar Jha, J)

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