

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17790 of 2020

In
CRIMINAL MISCELLANEOUS No.84012 of 2019

Arising Out of PS. Case No.-874 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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PANNALAL SAHANI S/o Mathura Sahani Resident of Village-Jatkahiya,
P.S.-Lakhaura, District-East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Pooja Devi W/o Pannalal Sahani D/o Bilat Sahani Resident of Village-
Hirmanitola Bhagri, P.S.-Chauradano, District-East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-08-2020 The court proceeding has been conducted through

virtual mode.

Heard learned counsel for the petitioner and the

State.

The present application has been filed for
modification of the order dated 18.12.2019, passed in Cr. Misc.
No. 84012 of 2019 for extending the period of provisional bail
as well as for extending the period of surrender.

The petitioner, being the husband of the
complainant/opposite party no.2 preferred Cr. Misc. no. 84012
of 2019 with a prayer for anticipatory bail in a complaint case,



wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the IPC and Sections 3/4 of the Dowry Prohibition Act.

The basis accusation against the petitioner was of torture, but since the petitioner admitted his marriage with the complainant and a specific statement was made in paragraph no.7 of the petition to the effect that the petitioner is ready to keep the complainant as wife with full dignity and honour, the petitioner was granted provisional anticipatory bail for six months when the learned court below was expected to issue notice to the complainant for her appearance and on her appearance, the petitioner had to take the complainant to keep her as wife with full dignity and honour. The provisional anticipatory bail of the petitioner was to be confirmed by the learned court below in three eventualities, (i) if the matrimonial harmony is substantially restored, or (ii) if the complainant fails to appear before the learned Court below or (iii) if the complainant gets reluctant to reconcile the issue.

It is submitted by learned counsel for the petitioner that due to illness of the sister of the petitioner, the petitioner could not surrender and comply the order of this Court. Though, the petitioner is still ready to keep the complainant as wife with



full dignity and honour.

In the circumstances, considering the nature of accusation and the present stand of the petitioner, the order dated 18.12.2019, passed in Cr. Misc. No. 84012 of 2019 is modified to the extent that the period of provisional bail is extended till 19.10.2020 and the period of surrender is extended by four weeks from the date of receipt/production of a copy of this order.

It is expected from the learned court below to issue notice to the complainant and on her appearance, the petitioner will take her to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities as incorporated in the order dated 18.12.2019 passed in Cr. Misc. No. 84012 of 2019 in Complaint Case No.874 of 2018, pending before the learned SDJM, Sadar, Motihari.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Ashwini/-

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