

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80418 of 2019

Arising Out of PS. Case No.-107 Year-2019 Thana- PAKRIDAYAL District- East Champaran

RAJ KISHOR SAH Son of Prabhu Sah Resident of Village-Bhanghiya, P.S.-
Pakridayal, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Mishra

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2020 Heard the learned counsel for the petitioner, the
learned APP for the State and the learned counsel for informant.

This is an application for grant of anticipatory bail in connection with Pakridayal P.S. Case No. 107 of 2019 arising out of Complaint Case No. C-469 of 2019, registered for the offence punishable under Sections 323, 313, 307, 406, 498A/34 of the Indian Penal Code and Sections 3 /4 of the Dowry Prohibition Act.

The allegation is regarding the petitioner having tortured his wife on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioner as well as the learned counsel for the informant (wife) have jointly submitted that the matter has been resolved in between the



parties and as far as the petitioner is concerned, he is ready and willing to keep his wife with due honour and dignity.

At this juncture, the learned counsel for the informant has submitted that it would be appropriate that the petitioner is directed to execute a bond for keeping good behaviour with his wife as also for keeping his wife with due honour and dignity, before the court below so that the future safety of the wife i.e. the informant of this case is secured inasmuch as it is the allegation of the informant that earlier also, the petitioner had executed a bond, but after some months of keeping good behaviour, he had thrown out the informant of this case, leading to the present case.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties, I deem it fit and proper to direct the petitioner to furnish an undertaking before the learned court of A.C.J.M.-5, Motihari, East Champaran in connection with Pakridayal P.S. Case No. 107 of 2019 arising out of Complaint Case No. C-469 of 2019 to the effect that he would keep his wife with due honour and dignity and maintain peace with her as also shall not engage in any sort of assault on her, whereafter the petitioner shall be admitted



to the privilege of anticipatory bail, subject to such conditions as may be deemed fit and proper to be imposed by the learned court below.

It is further directed that the learned court below shall ensure that the petitioner, after furnishing the said undertaking, and upon being admitted to anticipatory bail as also upon complying with the conditions to be imposed by the learned court below, takes her wife along with him to his residence from the court premises.

With the aforesaid observations and directions, the present petition stands disposed of.

(Mohit Kumar Shah, J)

ajay gupta/-

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

