

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13585 of 2021

Arising Out of PS. Case No.-68 Year-2020 Thana- PIPRA District- Supaul

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BIDUR KUMAR SAH @ BIDUR KUMAR, Son of Jairam Sah, Resident of
Village- Tetrahi, P.S.- Pipra, District- Supaul.

... .. Petitioner

Versus

1. The State of Bihar
2. Subi Kumari, Wife of Bidur Kumar @ Bidur Kumar Sah, Daughter of Vinod Sah, Resident of Village- Matkuriya, P.S.- Tribeniganj, District- Supaul.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr.Arun, Advocate
For the Opposite Party/s	:	Mr. Suman Kumar Singh, A.P.P.
For the Informant	:	Mr. Naresh Kumar Mehta, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 26-10-2021 Petitioner in the present case has been granted

provisional bail vide order dated 29.07.2021. For a ready

reference the order is reproduced hereinbelow:-

“Learned counsel for the petitioner submits that he has filed a supplementary affidavit pointing out one criminal antecedent of the petitioner and that in the prayer portion of the petition the case number has been wrongly recorded. The correct case number is Pipra P.S. Case No.68/2020.

Let the correction be carried out.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Pipra P.S. Case No.68/2020 registered for the offences punishable under Sections 341, 323, 325, 307, 354, 447, 498A, 504 and 506/34 of the Indian



Penal Code and Section 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that since this is a case of matrimonial dispute, in order to restore normalcy and allow the petitioner to have a happy conjugal life, he may be released on bail provisionally at this stage.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, this being a case of matrimonial dispute in which the parties have got a child after marriage, however, the allegation is that of demand of dowry and on non fulfillment thereof it is alleged that the petitioner and the in-laws of the informant had attempted to kill O.P. No. 2, the submission being that in the nature of the present dispute in order to restore normalcy and allow the petitioner to have a happy conjugal life, he may be released on bail provisionally at this stage, this Court, while issuing notice to the informant-opposite party no.2, directs that the petitioner above named be released on bail provisionally on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Supaul in connection with Pipra P.S. Case No.68/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

- (a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,
- (b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and
- (c) that such person shall not directly or indirectly make



any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that after his release on bail provisionally the petitioner will take efforts to establish a cordial relationship with the opposite party no.2.

The notice will go to the informant-opposite party no.2 both by registered cover with A/D as well as ordinary process for which requisites etc. must be filed within two weeks from today.

List this case after service of notice.

For maintaining a date in the system, let it be fixed for 13th September, 2021.”

Today, learned counsel for the parties have appeared and informed this Court that both the parties are living together peacefully and at this stage they had no issue at all.

Learned counsel for the parties agree that some trivial kind of issue between the wife and the husband may be resolved amicably if they shed off their egos and look forward towards a happy conjugal live.

This Court would expect that both the parties will be peacefully living together and shall not allow the previous trivial issues to come in between the cordial relationship. The provisional bail granted to the petitioner is hereby confirmed.

Let the petitioner remain on the same bail bond.

It is expected that the opposite party no. 2 shall



consider withdrawing the complaint case and try to get the same disposed of in accordance with law without causing any harassment to the petitioner. So far as the present case is concerned, again it is expected that the parties while living together would not allow this case to develop any bitterness between their relationship and as soon as possible this case may also be closed.

This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

