

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1902 of 2020

Arising Out of PS. Case No.-2023 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Vishwanath Sah Son of Late Shrawan Sah Resident of Village - Bharpatiya,
P.S.- Manuapul, Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi W/o Vishwanath Sah Resident of Village - Bharpatiya, P.S.-
Manuapul, Distt.- West Champaran Presently residing as D/o Ramashish Sah
, Resident of Vill- Murli, P.s.- Balthar, Distt.- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No. 7, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 08-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
323/341/498A of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act.

This is a case under Section 498A of the Indian
Penal Code. The matter was send for mediation to the Patna
High Court Mediation Centre.

It has been informed that mediation is not going on



thereat due to Covid effect.

In the aforesaid circumstance, let the petitioner, above named, who has stated on oath in para-8 of the petition that petitioner is ready for restoration of conjugal life, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on **provisional anticipatory bail** on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Complaint Case No.2023C of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

The order has been passed in presence of learned counsel for Opposite Party No.2. The parties shall appear before the Court-below who shall try to concile the parties if the petitioner would not be cooperative in the reconciliation proceeding that would be a ground for cancellation of provisional bail of the petitioner by the Court-below itself. If the petitioner would be cooperative



thereat, the Court-below would confirm the bail of the
petitioner.

(Birendra Kumar, J)

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