

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1749 of 2021

Arising Out of PS. Case No.-29 Year-2019 Thana- MAHILA P.S. District- Saran

CHITRANJAN SAH S/O LATE SURAJ SAH R/O VILLAGE BAJITPUR,
P.S- GARKHA, DISTRICT SARAN

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. PRITI DEVI D/O SANTOSH SAH R/O VILLAGE SARAY BUKSA, PS
BHELDI, DISTRICT SARAN

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Bhaskar

For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2021 Heard both parties.

The petitioner seeks bail in Mahila Saran P.S. Case No. 29 of 2019, registered for the offence punishable under Sections 341, 323, 498(A) and 34 of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

As per the prosecution case, informant was married with this petitioner on 08.12.2017 and after few days of the marriage, this petitioner along with others started demanding dowry and subjected the informant to torture and harassment. Ultimately, due to non-fulfillment of demand of dowry, she was ousted from the matrimonial house on 30.05.2019.

It is submitted on behalf of the petitioner that earlier



provisional bail was granted to the petitioner from the court below itself and informant started living with the petitioner, but after sometime, she left the matrimonial house without any reason and petitioner tried his best to bring her back, but she refused, therefore, the provisional bail was dismissed and petitioner was arrested. It is submitted that still petitioner is ready to keep his wife with full honour and dignity. Petitioner is in custody since 03.10.2020 and bears clean antecedent.

Considering the facts and circumstances of the case and the fact that informant does not want to live with this petitioner and the undertaking of petitioner that he is still ready to keep her with full dignity and honour, the petitioner above-named, is directed to be enlarged on bail 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, Saran at Chapra in connection with Mahila P.S. Case No. 29 of 2019, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be



cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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