

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82328 of 2019

Arising Out of PS. Case No.-341 Year-2018 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

KAMAL SAH, Son of Ramchandra Sah, Resident of Village - Nahas Rupauli,
P.S.- Patauna (Bisfi), Distt – Madhubani ... Petitioner
Versus

1. THE STATE OF BIHAR
2. Renu Devi, Wife of Kamal Sah, Resident of Village - Nahas (Rupauli), P.S.-
Patauna, Distt - Madhubani at present D/o Satnarayan Sah, R/o - Village -
Baliya, P.S.- Banipatti, Distt – Madhubani ... Opposite Parties

Appearance :

For the Petitioner	:	Mr. Gagan Deo Yadav, Adv.
For the State	:	Mr. Suman Kumari Singh, APP
For OP No. 2	:	Mr. Shashank Shekhar, Adv.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

6 06-01-2021 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State as well as the learned
counsel for the informant.

The petitioner seeks pre-arrest bail in connection with
Complaint Case No. 341 of 2018 registered under Sections 341,
323, 379, 307, 324, 354B and 498A of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is ready to take his wife (opposite party no. 2) from
her maika and keep her with full honour and dignity. Therefore,
provisional pre-arrest bail may be granted to the petitioner.

On the other hand, learned counsel appearing for
opposite party no. 2 submits that opposite party no. 2 is ready to
live with petitioner. Since, the petitioner is ready



to take her from her maika and keep her properly, hence, she has no objection in allowing the provisional pre-arrest bail to the petitioner.

In view of the submissions of the learned counsel for the petitioner and opposite party no. 2, let the petitioner, Kamal Sah, in the event of surrender/arrest, within a period of four weeks from today, in connection with Complaint Case No. 341 of 2018 be released on provisional bail, **till December, 2021**, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Benipatti, Madhubani, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code. If the opposite party no. 2 raises no objection, then, the provisional bail of the petitioner shall be confirmed by the trial Court. If the trial Court finds laches on the part of the petitioner, the trial Court would be at liberty to cancel the bail bond of the petitioner.

(Rajendra Kumar Mishra, J)

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