

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11968 of 2022

Arising Out of PS. Case No.-63 Year-2013 Thana- MAHILA PS District- East Champaran

Subhash Sah S/O Late Jatan Sah R/O Village- Chainpur, P.S.- Chhauradano,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 498(A)/34 of the Indian Penal Code and Section 3/ 4 of the Dowry Prohibition Act.

The accusations are of making assault for non-fulfillment of dowry demand and making a planning to kill the informant by setting her on fire.

It is submitted by learned counsel for the petitioner that petitioner is husband of the informant and he tried his best to resume the conjugal life with the



informant but it is the informant who did not want to reside with the petitioner. The petitioner is still ready to keep the informant as wife with full dignity and honour. However, the informant has already solemnized her second marriage with one Harmesh Sah @ Manoj Sah and she is leading a happy conjugal life. The impugned order suggests that father of the informant had earlier filed a complaint case which was compromised and the accused persons have been acquitted.

It appears that vide order dated 05.09.2022, notices were issued to O.P. No. 2. The office notes suggest informant has accepted the notice but refused to make any signature. None appears on behalf of the informant to prosecute the case.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands)



with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Mahila Motihari P.S. Case No. 63 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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