

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9451 of 2022

Arising Out of PS. Case No.-131 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Sonu Kumar @ Sonu Kumar Sah @ Ram Kumar Sah Son of Satrudhan Prasad Sah Resident of Village - Kariyaut, Ward No. 12, P.S. - Laukahi, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjita Kumari Wife of Sonu Kumar Sah Resident of Village - Kariyaut, Ward No. 12, P.S. - Laukahi, District - Madhubani. At present Address D/o Devnarayan Sahu, Resident of Village - Brindawan, P.S. - Ladania, District - Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Pramod Kumar Yadav, Advocate
For the Opposite Party/s :	Mr. Aditya Narayan Singh-I, APP
For the Informant :	Mr. Sanjay Kumar Jha, Advocate
	Mr. Anant Kumar Bhaskar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 06-04-2023 Heard Mr. Pramod Kumar Yadav, learned Counsel appearing on behalf of the petitioner; Mr. Sanjay Kumar Jha, learned counsel for the informant and Mr. Aditya Narayan Singh-I, learned A.P.P. appearing on behalf of the State.

2. The petitioner seeks pre-arrest bail in connection with C.R. No. 131 of 2019 for the offence punishable under Sections 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. This case has been listed after the mediation having failed. A report of the mediator dated 13.03.2023 is on record.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is ready to keep his wife (O.P. No. 2) with full dignity and honour. He further submitted that petitioner is ready to give Rs. 1,50,000/- out of Rs. 2,00,000/- as desired by opposite party no. 2.

5. The apprehension of the opposite party No.2 is that petitioner, without obtaining a decree of divorce in accordance with law from a competent Court has married another woman. However, no proof in support has been brought on record by either parties.

6. Since the parties have their respective limitations, this Court finds that it would be proper in the interest of justice that the couple must take steps to reconcile their strained relationship and lead a happy conjugal life.

7. This Court finds that the petitioner has made out a case to be provisionally released on pre-arrest bail subject to the condition that petitioner will give Rs. 1,50,000/- to the O.P. No. 2 within a week and must be ready to live together a happy conjugal life either at his own home or at the place where the O.P. No. 2 desires to live with the petitioner.

8. The petitioner is directed to be released provisionally on pre-arrest bail, in the event of his arrest or



surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jhanjharpur, Madhubani in connection with C.R. No. 131 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

9. In case, O.P. No. 2 is subjected to any torture or any illegal demand, the S.H.O. of the local police station where the O.P. No. 2 resides is directed to inform the Superintendent of Police, Madhubani to take appropriate legal action against the petitioner.

10. Further if it is found that the couple are living together happily for at least one year then the provisional bail granted to the petitioner shall be made absolute on such terms and conditions as fixed by the Court below subject to the condition that within the aforesaid period, the petitioner must give remaining one lakh rupees or any agreed amount to the O.P. No. 2.

11. Accordingly, the present anticipatory bail application is disposed of.

(Purnendu Singh, J)

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