

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44643 of 2023

Arising Out of PS. Case No.-1132 Year-2022 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

Sanjeev Kumar Sah @ Sanjiv Kumar Sah, Son of Upendar Sah, Resident of
Village - Yajuaar, P.S.- Katra, District - Muzaffarpur

... .. Petitioner

Versus

1. The State of Bihar
 2. Krishna Kumari @ Krishna Devi, Daughter of Indu Sah, Resident of Village
and Post Bharwara, P.S.- Singhwara, District - Darbhanga
- Opposite Parties

Appearance :

For the Petitioner	:	Mr. Ratneshwar Prasad, Advocate
For the State	:	Ms. Meena Singh, APP
For the O.P. No. 2	:	Mr. Iqbal Asif Niazi, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 11-10-2023 Heard learned counsel for the petitioner, learned
counsel for the O.P. No. 2 and learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Darbhanga Complaint Case No. (C.R. No.) 1132 of 2022 in which cognizance has been taken under Section 498A of the Indian Penal Code. He has no criminal antecedent.

3. As per the prosecution story, the complainant-opposite party no. 2 was married with this petitioner in the year 2008 whereafter the FIR named accused persons started demanding Rs.10,00,000/- due to which she was subjected to cruelty and was ousted from her matrimonial house.

4. Learned counsel for the petitioner as well as



learned counsel for the opposite party no. 2 jointly submit that both the parties are willing to live together with the children. They have got three children out of this wedlock and the marriage is about fifteen years old.

5. Learned counsel for the petitioner submits that the petitioner will visit the parental house of the opposite party no. 2 within a period of two weeks from today and shall bring her back with the children to the matrimonial home where he will maintain them with full dignity and care.

6. Learned counsel for the opposite party no. 2 submits that the conduct of the petitioner is required to be watched for some time.

7. Having regard to the facts and circumstances of the case and the kind of submissions made before this Court, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above-named shall be released on **provisional bail for a period of six months** in connection with Darbhanga Complaint Case No. (C.R. No.) 1132 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Darbhanga, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



8. The conduct of the petitioner shall be watched for a period of six months whereafter the learned Jurisdictional Magistrate on being satisfied with the conduct of the petitioner shall confirm the bail bond and the petitioner shall be allowed to continue on bail on the same bail bond. For this purpose, however, the statement of the complainant-opposite party no. 2 as regards the conduct of the petitioner must be taken care of.

9. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

10. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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