

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54715 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- MAHILA P.S. District- Munger

SAROJ KUMAR S/o Arun Sah R/o village- Godhiyari, P.O.- Simraha, P.S.-
Madhepura, District- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saraswati Kumari W/o Saroj Kumar, D/o Umesh Sah R/o village-
Godhiyari, P.O.- Simraha, P.S.- Madhepura, District- Madhepura, At present
R/o village- Asarganj, P.O. and P.S.- Asarganj, District- Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 31-07-2023

1. Heard learned counsel for the petitioner and learned

A.P.P. for the State along with the learned counsel for the informant.

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

3. The petitioner and the informant in compliance of the
order dated 17.07.2023 are present in the Court.

4. The petitioner at the outset submits that he is willing to
resume his conjugal life and will keep the informant with honour and
dignity, it is further submitted that he had also instituted a case under
Section 9 of the Hindu Marriage Act which was decided in his favour
but the informant for reasons best known to her is not willing to
resume the conjugal ties.

5. The informant who is also present is adamant and
submits that she is not willing to accompany the petitioner.



6. It is also submitted that a maintenance case has also been filed in the Court of Learned Principal Judge, Family Court, Munger and the same is pending adjudication.

7. The petitioner has his own story and the informant has her own but the Court for the present refrains from recording the same.

8. Since the informant is not willing to resume her conjugal ties nor she is adhering to the order passed by the Learned Family Court under Section 9 of the Hindu Marriage Act, as such, the petitioner in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Munger Mahila P.S. Case No. 06 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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