

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66091 of 2022

Arising Out of PS. Case No.-27 Year-2022 Thana- MAHILA PS District- Jehanabad

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Saurav Kumar @ Saurabh Kumar, Son Of Late Sushil Sharma R/O Village- Maniyawan, P.O.- Kajisarai, P.S.- Kako, District- Jehanabad, Pin- 804420 Presently Posted As Block Teacher Middle Kaswan, P.S.- Parasbigha, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aabha Rani, Wife of Saurav Kumar, D/O Kaushlendra Kumar Pandey, R/O In the House Of Amit Jee, S/O Late Rajeshwar Pandey, P.S.- Jehanabad, District- Jehanabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
For the informant	:	Mr. Mrigendra Kumar, Advocate
For the State	:	Mr. Asha Devi, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

- 3 21-03-2023 Heard Sri Nawnit Kumar Tiwary, learned counsel appearing on behalf of the petitioner and Gauri Shankar Gupta, learned A.P.P. for the State.

2. The petitioner apprehend his arrest in connection with Jehanabad Mahila Thana P.S. Case no. 27 of 2022, registered under Sections 341, 323, 379 and 498(A)/34 of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

3. Learned counsel appearing on behalf of the petitioner submitted that he has received instruction from



petitioner that he is ready to live along with O.P. No.2, who is legally wedded wife of the petitioner, and will not assault her or make any demand of dowry.

4. Learned counsel appearing on behalf of the informant/O.P.No.2 submitted that both petitioner and O.P. No.2 are employed and they are working as a teacher. The O.P. No.2 and petitioner are only concerned with the well being of only male child, who require equal love and affection of father and mother both, the petitioner has now realized not to assault or make demand of dowry. The petitioner may be released imposing condition, which this Court finds fit and proper.

5. Considering the submission made on behalf of the respective parties, it would be proper in the interest of justice to give opportunity to parties to reconcile their strained relationship between them. The couple are working as a teacher and have respect in the society and now they have realized that their action will only be deprecate which is not expected of a teacher. The petitioner has agreed to live along with his wife (O.P. No.2) and O.P. No. 2 is also willing to allow the petitioner to reside along with her to take care of only male child who require attention of both father and mother. This Court is of the opinion that prima facie the petitioner has made



out a case to be released provisionally on prearrest bail.

6. Let the above named petitioner, be released on provisional bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jehanabad in connection with Jehanabad (Mahila) P.S. Case No. 27 of 2022, subject to the condition that the petitioner and O.P. No.2, who are husband and wife, will try to resolve their matrimonial dispute amicably and gain respect in the society as well as in the eye of their parents, if no complain is made by either party, the provisional bail granted to the petitioner shall be made absolute after completion of period of one year on such terms and conditions the Court below deems fit and proper.

7. The O.P. No.2 along with her male child and petitioner are directed to appear before the learned S.D.J.M. Jehanabad on 28.03.2022. It is expected from the learned S.D.J.M., Jehanabad that he will try to reconcile the strained matrimonial relationship between the husband and wife, if required.

8. With the above observations and directions the



present bail application stands disposed of.

(Purnendu Singh, J)

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