

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20819 of 2017

Arising Out of PS.Case No. -219 Year- 2016 Thana -BHAWANIPUR District- PURNIA

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Dhalo Paswan, Son of Chintu Paswan, Resident of Village- Askatiya, Police Station- Bhawanipur in the district of Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Meena Devi, wife of Dhalo Paswan, Resident of Village- Askatiya, Police Station- Baliya (O.P.), Bhawanipur in the district of Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate.

For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 03-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Bhawanipur P.S. Case No. 219 of 2016 (G.R. No. 4059 of 2016) instituted for the offence under Sections 341, 323, 307, 498(A)/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Learned counsel for the petitioner has submitted that now good sense has prevailed between husband and wife and they are living together. A compromise petition has also been filed in the court below duly signed by both husband and wife and a copy of the same has been produced today in the Court. It has further been submitted that petitioner is in custody since 30.01.2017.

In the written report there is allegation that this petitioner has caused burn injury to his wife (opposite party No.2) after pouring



kerosene oil.

Case diary has been received wherein the Doctor has found 20 per cent burn injury over the body of the opposite party No. 2.

The opposite party No. 2 has appeared through her Advocate. It has been submitted that now good sense has prevailed and both husband and wife are living together.

Keeping in view the period spent by the petitioner in custody and good sense having prevailed between the parties and both husband and wife are living together, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Purnea, in connection with Bhawanipur P.S. Case No. 219 of 2016 (G.R. No. 4059 of 2016), subject to the condition that both the bailors will be the close relatives of the petitioner.

The petitioner will file undertaking at the time of his release that he will keep his wife (opposite party No.2) with all dignity and care and will not commit any torture with her.

(Sanjay Priya, J)

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