

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14720 of 2017

Arising Out of PS.Case No. -1909 Year- 2014 Thana -COMPLAINT CASE District- BANKA

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Uttam Panjiyara, Son of Late Mahindra Panjiyara @ Mahendra Panjiyara
Resident of Village-Galampur, P.S. Amarpur, District-Banka

.... Petitioner/s

Versus

1. The State of Bihar
2. Urmila Devi, wife of Uttam Panjiyara, D/o Dinesh Panjiyara, Resident of Village-Dudhari, P.S. + District-Banka

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 30-06-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Complaint Case No. 1909 of 2014 instituted for the offence under Sections 498(A), 379, 323 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

The petitioner is husband of the complainant. The allegation against the petitioner is that he has committed physical and mental torture with her and ousted her from the matrimonial home.

Learned counsel for the opposite party No. 2 has submitted that petitioner has performed second marriage which is also admitted by the petitioner.

It has been submitted on behalf of the petitioner that he



is still ready either to keep the complainant or one time settlement.

In such circumstances, the petitioner is directed to be released on provisional bail for a period of six months from today on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Saroj Kirti, learned Judicial Magistrate, 1st Class, Banka, in connection with Complaint Case No. 1909 of 2014, subject to the condition that both the bailors will be the close relatives of the petitioner.

In the meantime, the petitioner will give offer either for one time settlement or taking the wife with him, and in the event the good conjugal relationship between husband and wife is restored or both arrive at one time settlement, the provisional bail granted to the petitioner will be confirmed by the court below after six months.

It is made clear that if no initiative is taken by the husband either to restore the conjugal relationship or for one time settlement, the provisional bail of the petitioner will be cancelled after six months.

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(Sanjay Priya, J)

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