

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50029 of 2018

Arising Out of PS.Case No. -205 Year- 2018 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

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Shrawan Kumar, son of Jagnath Sah, sector 8D Qrts No. 1094 Sector 46
Ray Chowk Steel City Bokaro (Jharkhand), Permanent resident of Village-
Hazipur, P.S.- Hazipur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

Mr. Samir Kumar Bharti, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 03-10-2018

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Opposite Party No.2.

Petitioner seeks bail in **Islampur P.S. Case No.205 of 2018** instituted for the offence under Section(s) 341, 323, 504, 498-A/34 Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Marriage of the petitioner was performed with informant on 20.06.2017. She was tortured in *Sasural*. It is alleged that on 21.05.2018 this petitioner attempted to burn the informant by sprinkling kerosene oil and also gave knife blow. Injury report has been produced by the counsel for the petitioner.

Counsel for the petitioner submits that he is ready to



keep the wife (informant) with full dignity and care.

Counsel for the informant submits that she apprehends danger to her life.

In such circumstances, this application is disposed off with direction to petitioner to file an Affidavit in the Court below that he will keep the wife with full dignity and care and in that event the Court below **(Additional Chief Judicial Magistrate, Hilsa, Nalanda)** will release the petitioner on provisional bail for six months in connection with **Islampur P.S. Case No.205 of 2018** on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each and will issue notice to the wife-Opposite Party No.2 after fixing the date to the knowledge of the petitioner and in the event Opposite Party No.2 becomes ready to go and live with the petitioner, the Court below will monitor the relationship between the parties by calling them every month in Court. In the event the Court below finds that good conjugal relationship has been restored between husband and wife and wife does not make any complain about the physical and mental torture committed by the petitioner during the period of her stay with him or Court below finds that good conjugal relationship could not be restored on account of indifferent attitude of wife, or the wife does not appear even after service of



notice, the Court below will confirm the provisional bail of the petitioner after six months.

It is made clear that in the event the petitioner does not file Affidavit, as ordered above, or during the period of monitoring the wife makes complain about physical and mental torture committed by the petitioner to which the Court below is satisfied or on appearance of wife the petitioner does not become ready to take her with him, the Court below will cancel the bail bond of petitioner.

This application is, accordingly, disposed off.

(Sanjay Priya, J)

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