

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57743 of 2018

Arising Out of PS.Case No. -82 Year- 2018 Thana -PATAHI District- EASTCHAMPARAN
(MOTIHARI)

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Harshwardhan Singh @ Dipu Singh, S/O - Manmohan Singh, R/o Vill.-
Barharwa Lakhansen, P.S.- Dhaka, Dist.- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sapna Kumari, W/o Harshwardhan Singh, R/o Village-Barharwa
Lakhansen, P.S.- Dhaka, Dist.- East Champaran, At present Sapna
Kumari, D/o Ramvinod Singh, R/o Vill.- Rangpur, P.S.- Patahi, Dist.-
East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party No.1 : Mr. Sri Dilip Kumar, APP

For the Opposite Party No.2 : Mr. S.K. Bharti, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 10-10-2018

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 **Patahi P.S. Case No.82 of 2018** instituted for the offence under Section(s) 498-A/34 Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Counsel for the petitioner submits that petitioner (husband) is ready to keep the wife with full dignity and honour.

Counsel for the Opposite Party No.2 submits that wife-Opposite Party No.2 is also ready to live with the petitioner.

Petitioner is in custody since 11.07.2018.



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 honour and in that event, the Court below i.e. **8th Additional Chief Judicial Magistrate, East Champaran, Motihari**, will release the petitioner on provisional bail for a period of six months in connection with **Patahi P.S. Case No.82 of 2018**, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each.

The Court below will issue notice to the Opposite Party No.2, on the date of accepting the bail bond within the knowledge of petitioner fixing date for her appearance, and after appearance if Opposite Party No.2 becomes ready to go and live with petitioner, the Court below will monitor the relationship between the parties by calling both of them every month in the Court and 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.

This application is, accordingly, disposed off.

(Sanjay Priya, J)

**JA/-
Rohit Kr.**

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