

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25924 of 2018

Arising Out of PS.Case No. -204 Year- 2015 Thana -COMPLAINT CASE District- SUPAUL

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1. Vivek Kumar Jaiswal, Son of Satyadeo Choudhary @ Satyadeo Pd. Jaiswal, Resident of Village- Kumarganj, Police Station- Kishanpur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Shabnam Jaiswal, Daughter of Surya Narain Jaiswal, Wife of Vivek Kumar Jaiswal, Resident of Village- Daulatpur, Police Station- Raghapur, District- Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Adv

For the Opposite Party/s : Mr. Sri Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 27-06-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 498A, 323, 324, 328, 318, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The marriage was solemnized in the year 2000. The record reveals that matrimonial discord was there off and on and finally the present case was filed on 12.03.2015.

The petitioner is husband of the complainant. Allegation is of demand of dowry and torture



for the same as well as physical assault. It appears that the parties could not reconcile due to non-cooperation of the petitioner. Hence, provisional anticipatory bail granted to the petitioner was cancelled by the learned court below in pursuance of liberty granted by this Court. Thereafter, the petitioner is in custody since 03.04.2018. Petitioner has already filed a case for divorce.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with S.T.No.136 of 2017 arising out of Complaint Case No.204C of 2015, subject to the condition that the petitioner shall fully cooperate with the investigation/trial of the case and the learned court below shall take steps for reconciliation between the parties and both bailors shall be resident of territorial jurisdiction of the learned court below, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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