

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5095 of 2019

Arising Out of PS. Case No.-56 Year-2018 Thana- MAHILA P.S District- Supaul

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LALO MANDAL, son of Sri Bhagwat Mandal, resident of village- Khakhai East, P.S.- Kishanpur, District- Supaul

... .. Petitioner/s

Versus

1. State of Bihar
2. Sarswati Devi, wife of Shri Lalo Mandal, resident of village- Khakhai East, P.s.- Kishanpur, District- Supaul at present D/o Shri Dukhalal Mandal, Resident of village- Thumaha, P.s.- Pipra, District- Supaul

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrit Abhijat
For the Opposite Party/s : Ms.Pronoti Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-09-2019 Petitioner seeks bail in anticipation of his arrest in connection with Supaul Mahila P.S. Case No. 56 of 2018 in which cognizance has been taken under Section 498A, 341, 323, 504, 506/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act, pending in the court of S.D.J.M., Supaul.

As per prosecution case marriage of informant was solemnized with the petitioner and from the wedlock two daughters and one son were born and thereafter for the demand of Rs.50,000/- and she-buffalo as dowry she was subjected to assault and torture and she was also tried to kill and ousted her from the house.



Submission of learned counsel for the petitioner is that the whole allegation is false and concocted and he is still ready to keep her with dignity and care. On the other hand, learned counsel for opposite party No.2 has submitted as she has two daughters and one son she has no option but to reside with the petitioner if she is allowed to live with dignity and care.

Heard learned APP also.

In view of above facts and circumstances, let petitioner surrender in the court below on 30.9.2019, on that day opposite party No.2 shall also remain present in court and on filing an affidavit by the petitioner that he is ready to keep her with dignity and care and will not torture her in future by himself or his family members and he will bear the expenses of opposite party No.2 and her children, he shall be released on provisional bail for a period of six months and during that period both the parties shall appear in court below in second week of every month, so that the court below shall watch their conduct and marital status and once the court below is satisfied with their conduct and marital status, specially the conduct of the petitioner, his bail bonds shall be confirmed, otherwise the court below is free to pass any other order(s) as it may deem fit and proper, including cancellation of bail bonds of the



petitioner.

With the above observation, this application is
disposed of.

(Vinod Kumar Sinha, J)

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