

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.4585 of 2019

Arising Out of PS. Case No.-716 Year-2016 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

Harendra Kumar Singh son of Rajpati Singh Resident of Village/Mohalla-
Mouryanagar Colony, Salehpur, P.S.- Habibpur, Distt- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi Kaailash Prasad Singh Resedent of Village- Bhikhanpur,
Bhikhari Lala Lane, P.S.- Ishakchak, Distt- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

5 06-05-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.716(C) of 2016 registered for offences punishable under Sections 323,341, 498A, 34 of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

Allegation against the petitioner is of subjecting the O.P.no.2 (wife) with respect to demand and also subjecting her to cruelty .

Submission of the learned counsel for the petitioner is that all the allegations are false and concocted and he has filed a petition under Section 9 of Hindu Marriage Act for restitution of the conjugal right.

Heard learned A.P.P. and the learned counsel for the O.P.no.2., who has submitted that she is ready to reside with the petitioner if she is allowed to live with dignity and care. .



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender before the learned court below on 23.5.2019 and on that day O.P.no.2 shall also remain present there and on filing a petition by the petitioner that he is ready to keep her with dignity and care and also not to subject her torture and cruelty, the petitioner shall be released on provisional bail in connection with Complaint Case No.716(C)/2016 for a period of six months and during that period, the learned court below shall call for both the parties to appear in the first week of each month so that he may watch the conduct of both the parties and their matrimonial relationship and on being satisfied with their conduct, especially the conduct of the petitioner, he will confirm the bail bond of the petitioner otherwise he is free to pass any other order or orders as he deems fit and proper including the cancellation of the bail bond of the petitioner.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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