

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6278 of 2019

Arising Out of PS. Case No.-112 Year-2018 Thana- MAHILA P.S District- Supaul *

ABDUL WASE, Son of Abdul Rasid Resident of Village- Shankarpur, Ward No.-12, Panchayat- Parmanandpur, P.S.- Birpur, District- Supaul.

... .. Petitioner

Versus

1. The State of Bihar
2. Majara Khatoon, daughter of Md. Mohsin, wife of Abdul Wase, resident of village Shankarpur, Ward No. 12, Panchayat- Parmanandpur, P.S. Birpur, Dist. Supaul

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-04-2019 Petitioner seeks bail in anticipation of his arrest in connection with Supaul Mahila P.S. Case No. 112 of 2018, registered for the offences punishable under Sections 376, 493, 498A, 323, 504 and 506/34 of the Indian Penal Code.

Allegation against the petitioner is that he committed forcibly rape upon informant-opposite party No.2 and thereafter on the instigation of the Panchayat the petitioner married her. However, petitioner did not take her to matrimonial house on the plea that Nikah will be executed later on and he threatened her for second marriage.

Submission of learned counsel for the petitioner is that he is still ready to keep her with him with all dignities and care if she wants to live with him. On the other hand, learned counsel for the



informant has submitted that she is still ready to live with the petitioner if she is given the dignity and care.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, this application is disposed of with a direction to the petitioner to surrender in the court below on 17.4.2019 and file a petition that he is ready to keep her with dignity and care and on that day opposite party No.2 shall also remain present in court and if the petitioner is ready to take her to his house from the court itself, learned court below shall release him on provisional bail for a period of six months and learned court below will watch their conduct in the meantime by calling them in the first week of every month and once the court is satisfied with their conduct, specially the petitioner, his bail bond 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 his bail bonds.

(Vinod Kumar Sinha, J)

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