

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10807 of 2019

Arising Out of PS. Case No.-1781 C Year-2016 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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RAMBABU PRASAD son of Late Jagdish Prasad, resident of village-
Jhitkahiya, P.S.- Lakhaura, District- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Ramrati Devi, daughter of Devnarayan Prasad, resident of village-
Jhitkahiya, P.S.- Lakhaura, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 24-10-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Complaint Case No.C-1781 of 2016 registered

for the offences under Sections 498A, 494 and 324 of the Indian

Penal Code.

As per the complaint petition, petitioner happens to
be the husband of the complainant-opposite party No.2. The
marriage was solemnized 20 years ago and since the year 2014,
the petitioner started torturing her subjecting her to cruelty and
used to assault her and not provide food properly. It has also
been stated that petitioner has remarried with another lady.

Submission of learned counsel for the petitioner is
that the allegation is false and concocted. He has not remarried



with any other lady and that he has stated on oath in para 10 of the petition and he is still ready to keep her with full dignity and care.

Heard learned A.P.P. and learned counsel for the opposite party No.2, who has submitted that he is ready to reside with the petitioner.

Having heard both sides, in view of the submissions as stated above, this application is disposed of with a direction to the petitioner to surrender before the learned court below by 14.11.2019. On surrender, he will be released on provisional bail for a period of six months to the satisfaction of the learned court below. On that day opposite party No.2 shall also remain physically present. Once the appearance is complete, she is ready to reside with petitioner, the petitioner shall keep her with dignity and care. During that period, the learned court below shall watch the conduct of both the parties and further direct that both the parties shall appear in the second week of each month before the learned court below. Once the court below is satisfied with the conduct of both the parties and their marital relationship, especially the conduct of the petitioner, the court below either confirm the bail bond of the petitioner or pass any other order/orders, which may deem fit



and proper, including cancelling the bail bond of the petitioner.

It is made clear that if the complainant does not appear or does not choose to reside with the petitioner without any sufficient reason, the learned court below shall confirm the provisional bail of the petitioner.

(Vinod Kumar Sinha, J)

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