

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19777 of 2019

Arising Out of PS. Case No.-196 Year-2018 Thana- KATRA District- Muzaffarpur

Md. Shadab @ Shadab @ Ful Babu Son of Md. Shami Ahmad Resident of Village- Tehwara, Tola Fakirana, P.O.- Tehwara, P.S.- Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Afsana Praveen, aged about 28 years Female, D/o Md. Asgar Ali W/o Md. Shadab @ Shadab @ Ful Babu, Resident of Village- Tehwara Tola, Fakirana, P.S. Katra, District Muzaffarpur. At present residing at village Balaha, P.O. Kamtoul, P.S. Bisfi, District Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ganesh Prasad Singh, Adv.
For the State	:	Mr. Suresh Prasad Singh, APP
For the O.P. No.2	:	Mr. Ganga Deo Yadav, Adv.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-05-2019 This is an application for grant of anticipatory bail in connection with Katra P.S. Case No. 196 of 2018, disclosing offences under Section 498(A)/34 of the Indian Penal Code.

Allegation against the petitioner is of subjecting his wife to cruelty and harassment with respect to demand of Rs.1 lac and also ousted her.

Submission of learned counsel for the petitioner is that earlier he has lodged a petition for restitution of conjugal rights also and he is still ready to keep her with full dignity and care, but she was refused before the lower court to live along with the petitioner and only the reason behind is that the



petitioner is working in Mumbai.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2, who has no objection in residing with the petitioner, if he assures to keep her with full dignity and care and give some amount for her maintenance.

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with a direction to the petitioner to appear before the court below on 03.06.2019 and file a petition that he is still ready to keep the opposite party no.2 with full dignity and care and he will also pay some amount for her personal expenditure and on that date, the opposite party no.2 shall also remain present before the court below and on filing such an application, the court below shall extend the provisional bail of the petitioner for a further period of eight months to his own satisfaction and within that period, the learned court below shall watch the conduct of both the parties and marital relationship of them by calling them in the alternative month and once the learned court below is satisfied with the conduct of both the parties, specially the conduct of the petitioner, he shall confirm the provisional bail of the petitioner vide order dated 04.04.2019 otherwise, he is free to pass any order or orders as he deems fit and proper.



Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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