

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18778 of 2019

Arising Out of PS. Case No.-310 Year-2018 Thana- BHARGAMA District- Araria

VIKASH MANDAL @ VIKASH KUMAR MANDAL Son of Ashok Mandal
Resident of Village - Sukaila, Ward No. 10, P.S.- Bhargama, Distt - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kanchan Devi Wife of Vikash Mandal Resident of Village - Sukaila, Ward No. 10, P.S.- Bhargama, Distt - Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 03-09-2019 Petitioner seeks bail in anticipation of his arrest in connection with Bhargama P.S. Case No. 310 of 2018, registered for the offences punishable under Sections 341, 323, 498(A), 504, 506, 509/34 of the Indian Penal Code and Section 3/ 4 of Dowry Prohibition Act.

This case is under Section 498A of the I.P.C. with an allegation of demand of dowry and subjecting the informant to cruelty and threatened to kill her.

Earlier compromise was also reached between the parties and a motorcycle was given as dowry but later on she was assaulted and ousted from 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 full dignity and care.

On the other hand, learned counsel for the opposite party no.2 submits that instead of compromise earlier between the parties she was subjected to cruelty but she is still ready to reside with the petitioner unless she is allowed to keep her with dignity and care.

In view of the stand of the parties this application is disposed of with direction to the petitioner that he surrender before the Court below on 20.9.2019 and on that day the opposite party no.2 shall also remain present in the Court, and further on filing of an affidavit by the petitioner that he is ready to keep her with full dignity and care and to take her from the Court itself, then he will be released on provisional bail for a period of six months on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Araria, in connection with Bhargama P.S. Case No. 310 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. During that period, the learned Court below shall watch the conduct of both the parties and further directs 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 bonds of the petitioner or pass any other orders, which may deem fit and proper, including cancelling the bail bonds of the petitioner.

(Vinod Kumar Sinha, J)

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