

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23349 of 2019

Arising Out of PS. Case No.-114 Year-2018 Thana- MAHILA P.S. District- Araria

SAMIM AHMED @ SHAMIM AHMAD @ MD. SHAMIM Son of Md. Sadrul, Resident of Village- Madarganj, Ward No.-15, P.S. - Simraha, Dist- Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Tamanna Khtoon, Daughter of Wajil Ahmad, Resident of Village- Rewahi, Marakaj Tola, Ward No.-14, P.S. and District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 13-08-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Araria (Mahila) P.S.Case No.114 of 2018 dated 5.12.2018, registered for offences punishable under Sections 498A, 504, 506/34 of the Indian Penal Code.

Case is under Section 498A of the Indian Penal Code with allegation of demand of motorcycle and Rs.02 lac so also allegation of subjecting her to cruelty and torture.

Submission of the learned counsel for the petitioner is that the whole allegation is false and concocted and later on the petitioner has also filed a supplementary affidavit stating



that he has not married with another lady and he is still ready to keep her with dignity and care and for that he has filed a petition for restitution of the conjugal right.

Heard learned A.P.P. and the learned counsel for the informant, who has opposed the prayer for bail, however, submitted that if the petitioner is ready to keep her, she is also 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, above named, surrender on 23.8.2019 and on that day Opposite Party No.2 shall also remain present in the court below and further on filing an affidavit by the petitioner that he is ready to keep her with dignity and care and will take her from the court below itself, he will be released on provisional bail in connection with Araria (Mahila) P.S.Case No.114 of 2018 for a period of six months and during that period, both the parties have to appear before the court below in the second week of each month so that the learned court below may watch the conduct and matrimonial relationship of both the parties and once being satisfied with the conduct of both the parties



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 an proper including cancelling the bail bond of the petitioner.

With the above direction, this application is disposed of.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

