

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27181 of 2019

Arising Out of PS. Case No.-984 Year-2018 Thana- COMPLAINT CASE District- Banka

1. KUNDAN RAVIDAS Son of Narayan Ravidas, Resident of village- Ashardhi Modhari, P.S.- Podaiyahat, Dist- Godda (Jharkhand)
2. Narayan Ravidas, Son of Babulal Ravidas, Resident of village- Ashardhi Modhari, P.S.- Podaiyahat, Dist- Godda (Jharkhand)
3. Rambha Devi Wife of Anant Ravidas Resident of village- Ashardhi Modhari, P.S.- Podaiyahat, Dist- Godda (Jharkhand)
4. Rekha Devi Wife of Narayan Ravidas, Resident of village- Ashardhi Modhari, P.S.- Podaiyahat, Dist- Godda (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lucy Kumari, Daughter of Anilchandra Das, Resident of vill and P.O.- Kathon, P.S.- Rajoun, Dist- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-09-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Complaint Case No.984 of 2018 registered for offences punishable under Sections 498(A)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Allegation against the petitioners is of demand of Rs.05 lack, golden chain and one motorcycle and for that by assaulting ousted her from the house.

Submission of the learned counsel for the petitioner is



that he is still ready to keep her with dignity and care but the O.P.no.2 is not ready to reside with the petitioner rather she is interested in one time settlement and demand is exorbitant . From perusal of the record, it appears that earlier on appearance of the O.P.No.2, the matter was referred to the Mediation Centre but the report of the Meditor at flag 'A' discloses that the dispute between the parties could not be resolved during the process of the mediation .

Heard learned A.P.P. and the learned counsel for the O.P.no.2, who has opposed the prayer for bail on the ground that she is not ready to reside with the petitioner as she was subjected to severe cruelty and there is specific allegation against the petitioner and other accused persons. .

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. II, Banka in connection with Complaint Case No.984 of 2018, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that if the



O.P.no.2 files any application for maintenance before the learned Principal Judge, Family Court and on personal service of notice to the petitioner no.1, he has to appear and co-operate in the disposal of the case and to abide by any order either final or interim passed in the maintenance case unless the same is revised or set aside by any higher court.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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