

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26428 of 2019

Arising Out of PS. Case No.-83 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

OM PRAKASH KUMAR @ RAM BABU DAS, Gender-Male, Aged about 28 years, Son of Baliram Das Resident of Village - Barharwa, P.S.- Majhauriya, District- West Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Suman Devi, Gender-Female, Aged about 25 years, Wife of Om Prakash Kumar @ Ram Babu Das Resident of Village - Barharwa, P.S.- Majhauriya, District- West Champaran, presently Residing at Village - Dulma, P.S.- Madhuban, District- East Champaran

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7
For the Opposite Party/s : Mr.Nagendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-04-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No.C-83 of 2018 registered under Section 498A of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

The learned counsel for the petitioner submits that the petitioner is husband of the complainant. The complainant filed the complaint case on mere suspicion that the petitioner has got extra-marital relation with some other lady but there is no basis of such suspicion. The story of demand of dowry and torture is false and concocted. The petitioner is ready to keep his wife with all honour and dignity.

Taking into consideration the fact that the petitioner is



ready to keep his wife, the petitioner, above named, is directed to surrender in the court below within a period of four weeks from the date of receipt of the order and on such, learned court below shall enlarge the petitioner **on provisional bail for six months** on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, East Champaran at Motihari in connection with Trial No.2265 of 2018 arising out of Complaint Case No.C-83 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Thereafter, the learned court below shall make efforts for resolution of the disputes between husband and wife. If the petitioner keeps his wife with all honour and dignity, the provisional bail granted to the petitioner shall be confirmed. If the petitioner fails to keep his wife without any rhyme and reason and for no fault of his wife, learned court below shall pass order in accordance with law immediately after lapse of six months.

Saurabh/-

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

(Prabhat Kumar Jha, J)

