

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26341 of 2019

Arising Out of PS. Case No.-123 Year-2018 Thana- GAUNAHA District- West Champaran

1. SACHIN PASWAN S/o Thag Paswan
2. Janki Devi W/o Thag Paswan
Both are resident of village- Parsa, P.S.- Gaunaha, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Punita Devi W/o Sachin Paswan, D/o Vishwanath Paswan R/o village- Parsa, P.S.- Gaunaha, District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 05-07-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Gaunaha P.S.Case No.123 of 2018 registered for offences punishable under Sections 498(A), 341, 323, 307, 324, 506/34 of the Indian Penal Code.

Petitioners happen to be husband and mother-in-law of the informant-wife and there is allegation of not providing food and demand of dowry as well as subjecting her to cruelty.

Submission of the learned counsel for the petitioners is that though the allegation is false and concocted, they are still ready to keep her and these submissions have also been made before the court below concerned.



Heard learned A.P.P. and the learned counsel for the O.P.no.2, who has submitted that she is also ready to reside to reside with the petitioner unless 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 petitioners surrender before the learned court below on 16.7.2019 and on that day O.P.no.2 shall also remain present in the court and further on filing a petition on behalf of the petitioners that they are ready to take her from the court itself and will keep her with dignity and care, the provisional bail granted to the petitioner no.1 vide order dated 23.4.2019 shall be extended for a period of six months while provisional bail granted to the petitioner no.2 shall be confirmed and during that period, the petitioner no.1 and the O.P.no.2 may appear before the court below in the second week of each month so that the learned court below may watch their conduct and their marital relation and once being satisfied with the marital relationship and the conduct of both the parties especially the conduct of the petitioner, he will confirm the bail bond of the petitioner no.1, otherwise he will pass any other order or orders as he deems fit and proper.

Later on it is submitted that they have not appear up till



now and taken provisional bail and if it is so, the learned court below shall release the petitioner no.1 (Sachin Paswan) on above condition for a period of six months in connection with Gaunaha P.S.Case No.123 of 2018 and other parts of the order shall remain intact. So far petitioner no.2 (Janki Devi) is concerned she shall be released on bail in connection with Gaunaha P.S.Case No.123 of 2018, to the satisfaction of SDJM, Bettiah District West Champarn to his own satisfaction.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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