

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32287 of 2019

Arising Out of PS. Case No.-488 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Pappu Mahto @ Pappu Kumar, Aged about 24 years, Male, Son of Mahesh Mahto, Resident of Village Tilak Tajpur, P.S. Runisaidpur, District Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Devi, Aged about 25 years, Female, Wife of Pappu Mahto, D/o Anil Mahto, Resident of Village Narayanpur, P.S. Gosbari, District Patna, Presently Resident of Village Jaypur, Danukhi, P.S. Agamkuhha, District Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur
For the Opposite Party/s : Mr.Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-05-2019 Heard learned counsel for the petitioner-husband, learned Additional Public Prosecutor for the State as well as learned counsel appearing on behalf of the wife-complainant-opposite party no.2.

Petitioner apprehends his arrest in Complaint Case No.488 of 2018 for the offences allegedly committed by the petitioner under Section 498(A) of the Indian Penal Code as well as under Sections 3 and 4 of the Dowry Prohibition Act.

The wife made allegation of demand of dowry and torture but the learned counsel for the petitioner submits that the petitioner is ready to keep his wife. On such the learned counsel



for the complainant also submits that the wife is also ready to live with her husband, if her husband keeps her with all honour and dignity. It is further submitted that the husband kept the two months baby of the complainant.

Taking into consideration the facts and willingness of both sides-husband and wife, to restore their conjugal relation, the petitioner, above named, is directed to surrender in the court below within four weeks from the date of receipt of this order and on such the learned court below shall enlarge the petitioner on provisional bail for four months on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Patna City, District Patna in connection with Complaint Case No.488 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C. The petitioner shall hand over the two months' baby to his wife on the date of his surrender in the court below and thereafter the learned court below shall make efforts for resolution of the disputes between the husband and wife. If the petitioner keeps his wife properly with all honour and dignity, the provisional bail granted to the petitioner shall be confirmed and if the petitioner fails to keep his wife properly, the learned court below shall pass order on the provisional bail of the



petitioner in accordance with law immediately after lapse of
four months.

(Prabhat Kumar Jha, J)

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