

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37175 of 2019

Arising Out of PS. Case No.-770 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Tuntun Tanti, Son of Baudhu Tanti, Resident of Village- Pabra, P.S.- Cheriya
Bariarpur, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Devi, W/o Tuntun Tanti, Resident of Village- Pabra, P.S.- Cheriya
Bariarpur, District- Begusarai. Present Address- C/o Late Ram Siris Tanti,
R/o Village- Bhith, P.S.- Bhagwanpur, District- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Binode Bariar
For the Opposite Party/s : Mr.Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-09-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 770C of 2018, disclosing

offences under Sections 323, 379, 498A, 34 of the Indian Penal

Code.

As per complaint petition there is allegation against
the petitioner, who happens to be the husband of the informant
of demand of motorcycle and for that, she was assaulted her and
when her mother visited her matrimonial house, she was also
insulted by pushing her on the ground, due to which, she
sustained injury over her head.



Submission of learned counsel for the petitioner is that the whole allegation is false and concocted and he is still ready to keep her with dignity and care. As the petitioner is illiterate person whereas the opposite party no.2 is literate lady, as such, she does not want to reside with the petitioner.

Heard learned APP also.

Having heard both sides, in view of the facts, as stated above, this application is disposed of with a direction to the petitioner to surrender within a period of two weeks from the date of receipt of certified copy of this order, on surrender, he will be released on provisional bail for a period of four months and the learned court below shall issue a notice to the opposite party no.2. Once the opposite party no.2 appears in the Court, he will enquire from the opposite party no.2 as to whether she is ready to reside with the petitioner or not. If she is ready to reside with him and the petitioner is ready to keep her with dignity and care, the court below shall confirm the bail bonds of the petitioner, otherwise, he is free to pass any other orders, which may deem fit and proper, including cancelling the bail bonds of the petitioner. It is also made clear that if the opposite party no.2 could not appear before the learned court below on notice, in that case also, the bail bonds of the petitioner shall be



confirmed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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