

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31401 of 2019

Arising Out of PS. Case No.-508 Year-2016 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Pawan Kumar Das, Son of Sri kailash Das, Resident of Village- Laxmipur,
P.S.- Pirpainty, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kavita Kumari @ Premlata, Daughter of Wakil Das and Wife of Sri Pawan Kumar Das Resident of village Barari, P.S.- Barari, District- Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vivekanand Vivek

For the Opposite Party/s : Mr.Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-07-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 508 of 2016, registered for the offences under Section 323, 341, 498A, 34 of IPC and Section 4 of Dowry Prohibition Act.

Allegation against the petitioner is of subjecting his wife to cruelty with respect to demand of Rs.5,00,000/-.

Submission of the learned counsel for the petitioner is that he is still ready to keep her with dignity and care, but the opposite party no.2 is not ready to reside with him and she is working as A-Grade Nurse and she has also filed a petition under Section 13 for divorce also and petitions are also pending before the Family Court, Bhagalpur filed by the parties.



On the other hand, learned counsel for the opposite party no.2 has opposed the prayer for anticipatory bail on the ground that opposite party no.2 is ready for one time settlement.

Having heard both sides, as the divorce case is pending before the Family Court, Bhagalpur, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned S.D.J.M., Bhagalpur, in connection with Complaint Case No. 508 of 2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that he will co-operate in disposal of the divorce petition filed by the opposite party no.2.

With the above observations, this application is allowed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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