

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33330 of 2019**

Arising Out of PS. Case No.-997 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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MUNNA KUMAR CHAUDHARY Son of Surajbhan Chaudhary Resident of
Village- Patchara, P.S.- Bagaha (Pathkhauri), District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Angira Devi Wife of Munna Kumar Chaudhary, D/O Nandlal Chaudhary At
present resident of Village- Pipariya, P.S.- Bagaha, District- West
Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1
For the Opposite Party/s : Mr.Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 20-09-2019 This application, for grant of anticipatory bail, arises

out of Tr. No. 3085 of 2019 arising out of Complaint Case No.

997 of 2018, disclosing offences under Section 323, 498A, 307,

504/34 of the Indian Penal Code and Section 3/4 of the Dowry

Prohibition Act.

Petitioner happens to be husband of the complainant
and allegation against him is of subjecting the complainant to
cruelty in connection with demand of dowry of Rs. One Lac. It
further appears that after birth of a girl child started assaulting
the complainant and he developed illicit relationship with
another lady and ousted the complainant from the house.

Submission of learned counsel for the petitioner is



that she was not residing in her matrimonial life rather she has been residing in her maike for last ten years and only when the petitioner filed divorce case, complainant has come with this false case and all the allegations are false and concocted. The petitioner is still ready to keep the complainant with full honour and dignity.

Heard learned A.P.P. as well as learned counsel for the complainant. Learned counsel for the complainant has submitted that the complainant is also ready to live with the petitioner, if she is kept with full honour and dignity as a wife and if the petitioner is ready to bear the expenses for her and her child.

Having heard both sides, no doubt, there are some materials against the petitioner, however considering the fact that it is a matrimonial dispute between the parties and as both the parties are ready to live with each other, as such, this application is disposed of with direction to the petitioner and the complainant to appear before the concerned court below on 16.10.2019 and if the petitioner files an affidavit that he is ready to keep the complainant with himself with full honour and dignity and if he is willing to take the complainant with himself from the court itself, the court below shall release the petitioner



on provisional bail for a period of nine months to his own satisfaction and in the meantime, the court below will watch the conduct of the parties by calling the complainant and petitioner in the fourth week of each month for a period of nine months and after six months, if the court below is satisfied with the conduct of the parties specially the conduct of the petitioner as well as their matrimonial life, he will confirm the provisional bail of the petitioner otherwise, he is free to pass any order / orders as he deem fit and proper including cancellation of provisional bail of the petitioner.

(Vinod Kumar Sinha, J)

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