

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34941 of 2019

Arising Out of PS. Case No.-143 Year-2017 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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GOPAL KUMAR S/o Rajandhari Rai R/o village- Gulamali Chak, P.S.- Bihta,
District- Patna

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nilam Kumari D/o Surendra Prasad Yadav R/o village- Rice Tola Barewa
Bigha, P.S.- Pakari Barewan, District- Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kamlesh Prasad Yadav

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-08-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 143 of 2017 registered for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

There is allegation against the petitioner, who happens to be husband of complainant, that he demanded Rs.5 lac and for that he subjected her to cruelty and harassment and ultimately she was ousted from the matrimonial house.

Submission of learned counsel for the petitioner is that the whole allegation is false and concocted and as a matter of fact she is not ready to reside with the petitioner.

Heard learned APP and learned counsel for opposite party No.2, who has submitted that as a matter of fact she is ready to live



with the petitioner but she apprehends torture at the instance of her father-in-law and mother-in-law.

In view of above facts and circumstances, let petitioner surrender in the court below by 4.9.2019 and on that day opposite party No.2 shall also remain present in court. Further on filing of an affidavit by the petitioner that he is ready to keep opposite party No.2 with him with dignity and care and he will take her from the court itself to his house and he will protect her from his family members, on that he will be released on provisional bail for a period of six months by the court below and during that period the court will call them in third week of every month so that court may watch their conduct, specially the conduct of the petitioner and once the court is satisfied for the same, the bail bonds of the petitioner shall be confirmed, otherwise the court is free to pass any other order(s) as it may deem fit and proper, including cancellation of bail bonds of the petitioner.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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