

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36974 of 2019

Arising Out of PS. Case No.-2115 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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SAHEB PARIT Son of Late Tulsi Parit Resident of Village- Jokiyari, P.S.-
Raxaul, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ravita Devi Wife of Saheb Parit Presently residing with her father Ramji Parit, Village- Jagannathpur, P.S.- Gopalpur, District- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aditya Nath Jha

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-09-2019 This application, for grant of anticipatory bail, arises

out of Complaint Case No. 2115 of 2017, disclosing offences under

Section 498A, 323 of the Indian Penal Code.

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.

Submission of learned counsel for the petitioner is that all

the allegations are false and concocted and he is still ready to keep

the informant 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.



Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with direction to the petitioner and the complainant to appear before the concerned court below on 27.09.2019 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 six 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 third week of each month for a period of six months and after six months, if the court below is satisfied with the conduct of the parties and their matrimonial life, he will confirm the provisional bail of the petitioner otherwise, he is free to pass any order / orders as he deems fit and proper including cancellation of provisional bail of the petitioner.

It is made clear that if there are laches on the part of the complainant and if she does not appear before the court below and if she denies to live with the petitioner, in that situation, the petitioner will be released on bail.

(Vinod Kumar Sinha, J)

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