

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36471 of 2019

Arising Out of PS. Case No.-30 Year-2018 Thana- MAHILA P.S. District- Saharsa

Neelam Thakur, Son of Late Chandranand Thakur, Resident of Village -
Panchgachia, P.S.- Bihra, Dist.- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi, Wife of Neelam Thakur, Resident of Village - Panchgachia,
P.S.- Bihra, Dist.- Saharsa at present R/o village - Bangaon, P.O. and P.S.-
Bangaon, Dist.- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 18-09-2019 This is an application for grant of anticipatory bail in

connection with Mahila P. S. Case No. 30 of 2018, disclosing

offences under Sections 498A, 323, 379, 34, 494 of the Indian

Penal Code and Section 3/4 of Dowry Prohibition Act.

Prosecution case as per F.I.R. is that informant was

subjected to cruelty by the petitioner and other accused persons

with respect to demand of Rs.2,00,000/- and motorcycle and she

was ousted from the house along with her son.

On appearance of the opposite party no.2, the matter

was referred to the Patna High Court Mediation and

Reconciliation Center, but the mediation failed.

Submission of learned counsel for the petitioner is

that at present petitioner is not able to keep her along with him



but he undertakes that he will keep her with dignity and care after six month and during that period he will bear the expenses of the opposite party no.2.

Heard learned APP as well as learned counsel for the opposite party no.2, who has apprehension to the above assurance and submitted that since 2013 she is residing separately and he is not bearing any expenses. But after some arguments, she is ready to reside with the petitioner even after six months unless during that period the expenses be borne by the petitioner.

In such view of the matter, let the petitioner, above named, surrender before the learned court below within a period of four 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 09 months to the satisfaction of the learned court below on two conditions: (i) that he will keep her at Delhi within a period of six months, (ii) that he will pay Rs.3000/- per month to the opposite party no.2 till they start residing together. During that period, if the petitioner keeps her with him at Delhi and if such submission is made by the opposite party no.2 before the learned court below, the learned court below considering the above fact shall confirm the bail bonds of the



petitioner, otherwise he is free to pass any orders, which may deem fit and proper, including cancelling the bail bonds of the petitioner.

With the aforesaid observations, this application is disposed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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