

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36997 of 2019

Arising Out of PS. Case No.-518 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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SANJIV KUMAR DAS Son of Sri Kailash Pati Das Resident of Village -
Gauripur, P.S.- Bihpur, Dist.- Bhagalpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Anita Devi W/o Sri Sanjiv Kumar Das, D/o Sri Laxman Das Resident of
Village - Postal Colony Adampur, P.S.- Adampur, Dist.- Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 25-10-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 518 of 2017, registered for the offences punishable under Section 323, 341, 406, 498A/34, of the Indian Penal Code and Section 3/ 4 of the Dowry Prohibition Act, but cognizance has been taken under Section 323, 341, 504, 498(A)/34 of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

As per complaint there is allegation against the petitioner who happens to be husband of the complainant and subjecting complainant to cruelty and harassment with respect to demand of dowry. He has also solemnized second marriage with another woman.



Heard learned A.P.P. as well counsel who appeared by filing vakalatnama. Submission of learned counsel for the O.P. No. 2 is that petitioner has married with another lady also but considering the fact that she has two children and petitioner has not paid single penny for their maintenance as such she is ready to reside with the petitioner unless she is allowed to reside along with children with dignity and care.

In view of the stand of the parties this application is disposed of with direction to the petitioner that he surrender before the Court below on 14.11.2019 and on that day the opposite party no.2 along with children shall also remain present in the Court, and further on filing of an affidavit by the petitioner that he is ready to keep her along with children with full dignity and care and to take her and children from the Court itself, then he will be released on provisional bail for a period of six months on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned S.D.J.M. Bhagalpur, in connection with Complaint Case No. 518 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. During that period, the learned Court below shall watch the conduct of both the parties and further directs that both the parties shall appear



in the fourth week of each month before the learned Court below. Once the Court below is satisfied with the conduct of both the parties, and their marital relationship, especially the conduct of the petitioner, the Court below will confirm the bail bonds of the petitioner otherwise pass any other orders, which may deem fit and proper, including cancelling the bail bonds of the petitioner.

(Vinod Kumar Sinha, J)

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