

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44830 of 2019

Arising Out of PS. Case No.-512 Year-2017 Thana- MUNGER COMPLAINT CASE
District- Munger

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ANAND KUMAR SINHA @ AND KUMAR SINHA Son of Late Nalini Bhusan Sinha Resident of Village- Champanagar, P.S.- Nathnagar, District- Bhagalpur. At present resident of Mohalla- Jogsher in the house of Bindu Tiwari, J.P.- Pandey Lane, P.S.- Adampur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Kumari Wife of Anand Kumar Sinha, daughter of Sri Khagendra Mohan Chosh At present resident of Village- Mohanganj, P.S.- Tarapur, District- Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda
For the Opposite Party/s : Mr.Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 18-10-2019 This application, for grant of anticipatory bail, arises out of Complaint Case No. 512C/2017, disclosing offences under Sections 323, 498(A) of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

Petitioner happens to be husband of the complainant and allegation against him is of subjecting the complainant to cruelty and torture with respect to demand of dowry.

Earlier notice was issued to opposite party no. 2 and post tracking system disclosed that the item has been delivered but in spite of that none has appeared on behalf of opposite party no. 2



Submission of learned counsel for the petitioner is that entire allegation is false and concocted and he is still ready to keep her with full honour and dignity and the said statement he has also made before the court below.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with direction to the petitioner to surrender in the court below on 14.11.2019 and on surrender, the will release the petitioner on provisional bail for a period of six months during that period the court below shall issue notice to opposite party no. 2 and on her appearance, the court below shall call upon the petitioner and, thereafter, if the petitioner is willing to keep the complainant with himself, the court below shall allow them to go together and further 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 six months and after six months, if the court below is satisfied with the conduct of the parties specially the conduct of the petitoer, he will confirm the provisional bail of the petitioner otherwise, he will cancel the provisional bail granted to the petitioner.

It is made clear that if on notice, opposite party no. 2



does not appear, in that situation also, the provisional bail of the
petitioner shall be confirmed.

(Vinod Kumar Sinha, J)

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