

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41003 of 2019

Arising Out of PS. Case No.-722 Year-2017 Thana- COMPLAINT CASE District-
Kishanganj

Pravin Poddar, S/o Ashok Poddar, R/o village- Dharamganj Majhia Road
Ward No. 28, P.S.- Kishanganj, Distt.- Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi, D/o Pramod Poddar, R/o village- Dharamganj Majhia Road
Ward No. 28, P.S.- Kishanganj, Distt.- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-09-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 722 of 2017, disclosing offences under Section 498A of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

Allegation against the petitioner is of demand of Rs.2,00,000/- and one motorcycle and due to non-fulfillment of the demand, the complainant-wife ousted from the house.

Submission of learned counsel for the petitioner is that the whole allegation is false and concocted and he is still ready to keep her with dignity and care, but it appears from the impugned order that petitioner was directed to go to the house of the complainant by order dated 14.05.2019 to persuade to



reside with the petitioner, but he has not complied with the above said direction.

Heard learned APP also, who has opposed the prayer for anticipatory bail on the ground that petitioner in spite of direction has not come to take her. However, the complainant is ready to live with him, if she is allowed to live with dignity and care.

Having heard both sides, in view of the stand, as stated above, as the matter relates to marital dispute, let the petitioner, above named, surrender before the learned court below on 18.07.2019 and on that day the complainant shall also remain present in the Court. Further on filing of an affidavit by the petitioner that he is ready to keep her with dignity and care and will not subject her assault or torture in future, and to take her from the Court itself, then he will be released on provisional bail for a period of six months. 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 second 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 either confirm the bail bonds of the



petitioner or pass any other orders, which may deem fit and proper, including cancelling the bail bonds of the petitioner.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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