

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40518 of 2019

Arising Out of PS. Case No.-349 Year-2018 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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SRI NIWAS BIND Son of Sri Prithavi Bind Resident of Village - Barka
Kenar (Kenar Kalan), P.S.- Chenari, Distt - Rohtas.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Pushpa Kumari Wife of Sri Niwas Bind, D/o Krishna Choudhary Resident of
Village - Barka Kenar, P.S.- Dehri, Distt - Rohtas at Village - Kamranganj,
Ward No. 39, P.S.- Dehri, Distt - Rohtas at Sasaram.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad
For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 17-10-2019 This application, for grant of anticipatory bail, arises out
of Complaint Case No. 349 of 2018, disclosing offences under
Sections 498(A) of the Indian Penal Code.

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

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, which will appear from the fact that
petitioner has already filed a petition for restitution of Conjugal
Rights in the Family Court.

Heard learned A.P.P. as well as learned counsel for the
complainant. Learned counsel for the complainant has submitted that



the petitioner has remarried with another lady, however, in spite of that she is still ready to live with the petitioner.

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 07.11.2019 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 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 petitioner, he will confirm the provisional bail of the petitioner otherwise, he will pass any appropriate order as he deems fit and proper including cancellation of provisional bail of the petitioner.

(Vinod Kumar Sinha, J)

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