

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72351 of 2018

Arising Out of PS. Case No.-427 Year-2016 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

Rudal Rajak, Son of Ram Kashi Rajak, Resident of Village- Sihma, P.S.
Bithan, District- Samastipur Bihar.

... .. Petitioner

Versus

1. State Of Bihar
2. Ruma Kumari@ Bhukhali Devi, Wife of Rudal Rajak & Daughter of Jai Mangal Rajak, at Present Residing at Village- Narhan, P.S.- Bibhutipur, District- Samastipur Bihar.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 11-04-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 427 of 2016 in which cognizance has been taken under Section 498A IPC.

Allegation against the petitioner is that he demanded Rs.1 lac from opposite party No.2, his wife and on refusal he tried to kill her by strangulation and also assaulted her and thereafter due to non-fulfilment of demand she has been ousted from his house.

Submission of learned counsel for the petitioner is that the allegation is false and concocted and he is ready to keep her with dignity and care.

Heard learned APP and learned counsel for opposite



party No.2, who has also no objection in residing with the petitioner if she is allowed to live with dignity and care.

Having heard both sides and in the facts and circumstances, this application is disposed of with a direction to the petitioner to surrender within a period of six weeks and file a petition on affidavit stating that he is ready to keep her with dignity and care and further he is ready to take her to his house from the court itself and on such petition being filed, the petitioner shall be released on provisional bail for a period of six months by the court below itself to its own satisfaction and the court below will watch their conduct by calling them in first weeks of every month and once the court is satisfied with their conduct, particularly the conduct of the petitioner, the court below shall confirm the bail bond of the petitioner, otherwise the court is free to pass any other order(s) as it may deem fit and proper, including cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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