

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41564 of 2019

Arising Out of PS. Case No.-360 Year-2017 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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SANTOSH KUMAR Son of Mahendra Chandrabanshi Resident of village-
Adai, Police Station- Kargahar (Badahari), District- Rohtas.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Priyanka Devi Daughter of Laxman Chandrabanshi Resident of village and
Post Office- Dawath, Police Station- Dawath, District- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-09-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Complaint Case No. 360 of 2017 registered for

the offence punishable under Section 498A of the Indian Penal

Code.

Allegation against the petitioner, who happens to be

husband of complainant, is that he subjected the complainant-

wife to torture and cruelty with respect to demand of motorcycle

and gold chain as dowry and it appears from perusal of

complaint petition that he has illicit relationship with his

Bhabhi.

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. Further submission is that no specific allegation has been attributed against the petitioner other than illicit relationship with his Bhabhi.

Heard learned APP and learned counsel for opposite party No.2, who has submitted that she is also ready to reside with the petitioner if she is allowed to live with dignity and care and without any torture, mentally or physically.

In view of above facts and circumstances, let petitioner surrender in the court below by 18.9.2019, on that day opposite party No.2 shall also remain present in court and on filing an affidavit by the petitioner that he is ready to keep her with dignity and care and he is also ready to take her from the court itself to his house, petitioner shall be released on provisional bail for a period of six months by the court below itself and during that period the court below shall watch their conduct and marital relationship between them by calling them in second week of every month and once the court is satisfied with their conduct, specially the conduct of petitioner and their marital relationship, the bail bonds of the petitioner shall be confirmed, otherwise the court is free to pass any other order(s) as it may deem fit and proper, including cancellation of bail bonds of the petitioner. It is also made clear that if opposite



party No.2 does not appear to reside with the petitioner, in that event petitioner shall be released on bail.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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