

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46324 of 2019**

Arising Out of PS. Case No.-6 Year-2019 Thana- KAJRA District- Lakhisarai

SHIV JEE PANDIT Son of Chotelal Pandit Resident of Village- Mahmood  
Pur Barai Tola, P.S.- Suryagadha, District- Lakhisharai

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nibha Devi D/o Rudal Pandit (W/o Shiv Jee Pandit) Resident of Village-  
Arma Teli Chak, P.S.- Karja, District- Lakhisharai.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vibhakar Kumar

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

4      22-10-2019      Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Kajra P.S.Case No.06 of 2019 registered for offences punishable under Sections 341, 323, 498(A), 504,313/34 of the Indian Penal Code and Sections 3/4 of the D.P.Act..

As per FIR, there is allegation against the petitioner of demand of Rs.01 lac and for that subjected her to cruelty and ousted her from the hosue.

Submission of the learned counsel for the petitioner is that he is still ready to keep her with dignity and care and O.P.no.2 has also appeared and she has also preferred her desire to reside with the petitioner and on that a Co-ordinate Bench of



this Court had directed the petitioner to go and take the complainant on assurance to keep her with dignity and care and a date was also fixed, which will appear from order dated 26.9.2019, but she is not ready to come with the petitioner .

Heard learned A.P.P. and the learned counsel for the complainant, who has opposed the prayer for bail on the ground that earlier also by the learned Addl. Sessions Judge while hearing the bail application of the petitioner, he was directed to take her from the court below but he has not come to take her from the court as such it appears that the petitioner has no intention to keep her.

Having heard both sides and in view of submission as made above and as the matter relates to matrimonial dispute, let the petitioner surrender before the learned court below on 14.11.2019 and on that day O.P.no.2 shall also remain present in the court below and if the petitioner files an affidavit that he is ready to take her and he will keep her with dignity and care, on such affidavit, he will be released on provisional bail for a period of six months and during that period both the parties have to appear before the learned court below in the 3rd week of each month so that the learned court below may watch the conduct of both parties and once being satisfied with the



conduct of the parties especially the conduct of the petitioner, he will confirm the bail bond of the petitioner, otherwise he is free to pass any other order as orders as he deems fit and proper including the cancelling the bail bond of the petitioner .

With the aforesaid direction, this application is disposed of.

**(Vinod Kumar Sinha, J)**

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