

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45235 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- MAHILA P.S BAGHA District- West
Champaran

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AKASH DOM, aged about 30 years, Male, Son of Guddu Dom Resident of
Village - Purva Chauraha, P.S.- Deoria, District- Deoria (Uttar Pradesh)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nandani Devi Wife of Akash Dom Resident of Village - Purva Chauraha,
P.S.- Deoria, District- Deoria (Uttar Pradesh). At present D/o- Late Mithlesh
Dom, Resident of Village - Chautarva, Badgaon, P.S.- Bagaha, District- West
Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Bimlesh Kumar Pandey
For the Opposite Party/s :	Mr. Vijay Kumar Singh No.I
	Mr.Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-07-2019 Heard both sides.

The petitioner apprehends his arrest in Bagaha Mahila
P.S. Case No.19 of 2019 registered under Sections 323, 498A
and 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner was married with the informant eight years ago and he
got three children from the wedlock. On account of some petty
family dispute, the wife of the petitioner deserted him and filed
this case making allegation of demand of dowry and torture. The
petitioner is still ready to keep his wife.

Learned counsel for the informant-wife and the
learned A.P.P. also submits that wife is also willing to live with
her husband provided that her husband keeps her properly.

Taking into consideration the facts that the husband



and the wife are willing to restore their conjugal relation after sinking their differences, let the petitioner, above named, is directed to surrender before the court below within a period of four weeks from the date of receipt of this order and on such, learned court below shall enlarge the petitioner on provisional bail for four months on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bagaha, West Champaran in connection with Bagaha Mahila P.S. Case No.19 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Thereafter, the learned court below shall make efforts for resolution of the disputes between the husband and the wife. If the petitioner keeps his wife properly, learned court below shall confirm the provisional bail granted to the petitioner and if the petitioner fails to keep his wife with all honour and dignity without the fault of the wife, learned court below shall pass order on provisional bail of the petitioner in accordance with law immediately after lapse of four months.

(Prabhat Kumar Jha, J)

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