

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42817 of 2019

Arising Out of PS. Case No.-65 Year-2019 Thana- HILSA District- Nalanda

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KUNDAN KUMAR Son of Ramashish Singh R/O - Patel Nagar, Bus Stand,
Hilsa, P.S.- Hilsa, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kaushal Kishor

For the Opposite Party/s : Mr.Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-09-2019 This application, for grant of anticipatory bail, arises

out of Hilsa P.S. Case No. 65/2019, disclosing offences under

Section 498A, 504 and 34 of the Indian Penal Code and Section

3/4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the complainant

and allegation against him is of subjecting the complainant to

cruelty in connection with demand of dowry and also of ousting

her from the house and it is further alleged that he has remarried

with another lady.

Submission of learned counsel for the petitioner is

that all the allegations are false and concocted and the

petitioner has married with the informant after death of his first

wife, as he has minor children to look after but the informant is

cruel lady and not behaving well with the children and due tow



which, he has filed a divorce case. However, in spite of that, he is still ready to keep the informant with full honour and dignity, if she is ready to behave well with the petitioner as well as with children.

Heard learned A.P.P. as well as learned counsel for the informant. Learned counsel for the informant has submitted that the informant is also ready to live with the petitioner, if she is kept with full honour and dignity as a wife.

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with direction to the petitioner and the informant to appear before the concerned court below on 26.09.2019 and if the petitioner files a petition that he is ready to keep the complainant with himself with full honour and dignity and if he is willing to take the informant 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 third 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 and their matrimonial life, he will confirm the provisional bail of the petitioner



otherwise, he is free to pass any order/orders as he deem fit and proper, including cancellation of bail bond of the petitioner.

It is also made clear that if there is laches on the part of the informant and if she is not willing to live with the petitioner, in that situation also, the provisional bail of the petitioner will be confirmed.

(Vinod Kumar Sinha, J)

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