

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74383 of 2018

Arising Out of PS. Case No.-1268 Year-2016 Thana- COMPLAINT CASE District- Banka

Tinku Mandal @ Tinku Kumar Son of late Binod Mandal, Resident of Village-Ghoraha, P.S. Goradih, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Khushbu Devi, wife of Tinku Mandal @ Tinku Kumar, Resident of village & P.S. Goradih, District- Bhagalpur. At present Khushbu Devi daughter of Dinesh Das, resident of village- Parghari, P.S. Rajoun, District Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-04-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 1268 of 2016, disclosing offences under Section 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Allegation against the petitioner, who happens to the husband, is of subjecting his wife to cruelty and harassment with respect to demand of Rs.1,00,000/- and one motorcycle.

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

Heard learned A.P.P. as well as learned counsel for the complainant, they have submitted that opposite party no.2 has no objection in residing with the petitioner, if he assure to keep her with full dignity and care, but the petitioner has also lodged a case



against her father, mother and others.

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with a direction to the petitioner to surrender before the court below within a period of six weeks from the date of receipt of the order and file a petition that he is still ready to keep the opposite party no.2 with full dignity and care and ready to take her from the court itself and on filing such an application, the court below shall release the petitioner on provisional bail for a period of six months to his own satisfaction and within that period, the learned court below shall watch the conduct of both the parties by calling them in the first week of each month and once the learned court below is satisfied with the conduct of both the parties, specially the conduct of the petitioner, he shall confirm the provisional bail of the petitioner otherwise, he is free to pass any order or orders as he deems fit and proper, including cancellation of bail bonds of the petitioner.

Before parting with this order, it is expected that both the parties will withdrawn the criminal cases lodged against each other.

(Vinod Kumar Sinha, J)

Amjad/-

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