

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50102 of 2019

Arising Out of PS. Case No.-198 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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RAJ KUMAR SAH Son of Prem Sah Resident of Village - Arya Nagar, P.S.-
Ramgadhwa, District- East Champaran.

... .. Petitioner/s

Versus

1. THE SATE OF BIHAR.
2. Dhanwanti Devi Wife of Raj Kumar Sah, D/O - Satya Narayan Sah Resident of Village - Aryanagar, P.S.- Ramgadhwa, District- East Champaran, Present address - Resident of Village - Bherihari, P.S.- Adapur, District- East Champaran at Motihari.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 06-11-2019 Petitioner seeks bail in anticipation of his arrest in connection with Trial No. 2824 of 2018 arising out of Complaint Case No. C 198 of 2018, registered for the offences punishable under Sections 323, 498 (A) of the Indian Penal Code and Section 3/ 4 of the D.P. Act.

As per complaint petition petitioner happens to be husband of the complainant and there is allegation of demand of dowry and on non-fulfillment of said demand petitioner has started subjecting her to cruelty and ousted her from house after snatching her belongings.

Submission of the learned counsel for the petitioner



is that the above allegation is false and concocted and he is still ready to keep her with full dignity and care.

Heard learned A.P.P. and counsel appearing on behalf of the O.P. No. 2 and submitted that she is also ready to reside with the petitioner, if she is allowed to live with full dignity and care.

Having heard both sides, considering the fact that it is a marital dispute and the petitioner is ready to keep her with dignity and care, in such view of the matter, this application is disposed of with a direction to the petitioner to surrender before the learned Court below by 18.11.2019 , and on that day the opposite party No. 2 shall also remain present in the Court, and further on filing of an affidavit by the petitioner that he is ready to keep her with full dignity and care and to take her from the Court itself, then he will be released on provisional bail for a period of six months. During that period, the learned Court below shall watch the conduct of both the parties and further directs that both the parties shall appear in the second week of each month before the learned Court below. Once the Court below is satisfied with the conduct of both the parties, and their marital relationship, especially the conduct of the petitioner, the Court below either confirm the bail bonds of the petitioner or



pass any other orders, which may deem fit and proper, including
cancelling the bail bonds of the petitioner.

With the aforesaid observation, this application is
disposed of.

(Vinod Kumar Sinha, J)

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