

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48574 of 2019

Arising Out of PS. Case No.-709 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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KAMAL KUMAR @ PANKAJ KUMAR Son of Late Pyare Sah Resident of
Village - Banchahari, Teliya Tola, P.S.- Bagaha, Dist.- West Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Priyanka Devi W/o Kamal Kumar @ Pankaj Kumar Resident of Village -
Banchahari, Teliya Tola, P.S.- bagaha, dist.- West Champaran., At Present
Majhaua Circle, P.o.- Bibi Bankatwa, P.S.- Chautarwa, Dist.- West
Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1
For the Opposite Party/s : Mr.Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 30-09-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Complaint Case No.C-709 of 2018 , registered for offences
punishable under Sections 120B, 323, 341, 307, 498(A), 504 of
the Indian Penal Code and Section 34 of the Dowry Prohibition
Act.

Allegation against the petitioner who happens to be
husband of the complainant, is of subjecting her to the cruelty
and harassment with respect to demand of Rs.2 lac for the
purpose of business .

Submission of the learned counsel for the petitioner is
that the allegation is false and concocted and he is still ready to
keep her with dignity and care and she has even left her two



years old child and for that purpose he has lodged Matrimonial Case No.442 of 2018 for restitution of the conjugal right and on the other hand the learned counsel for the O.P.no.2 has submitted that she was subjected to assault and as such it is not possible for her to reside with the petitioner, however, it is submitted that he has no instruction as to whether she has appeared in the Matrimonial case filed by the petitioner or not.

In such view of the matter, this application is allowed and the provisional bail granted to the petitioner , vide order dated 5.8.2019 is confirmed on the condition that if O.P.no.2 appears before the learned Family Court in Matrimonial Case No.442 of 2018, the learned court shall make an effort for reconciliation between them and try for an amicable settlement between them.

With the above observation this application is disposed of

Let a copy of this order be communicated to the learned Principal Judge, Family Court, West Champaran at Bettiah.

(Vinod Kumar Sinha, J)

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