IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50787 of 2019

Arising Out of PS. Case No.-3734 Year-2015 Thana- PATNA COMPLAINT CASE District-Patna

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SANJAY KUMAR @ SANJAY SAO Son of Late Prithvi Charan Sah Resident of Village - Teghra Bazitpur, Pidhauli, P.S.- Teghra, Dist.- Begusarai.

... ... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Soni Devi @ Soni Kumari W/o Sanjay Kumar Resident of Village - Teghera Bajitpur, Pithauli, P.S.- Teghra, Dist.- Begusarai, Presently resident at M.I.G. colony 38, Kankarbagh, P.s.- Kankarbagh, Dist.- Patna.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 05-11-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 3734 (C) of 2015 instituted for the offences punishable under Sections 323, 341, and 498A/34 of the Indian Penal Code.

As per complaint petition there is allegation against the petitioner, who happens to be husband of the complainant, is that he demanded Rs.10 lac from the complainant and for that he assaulted her.

Submission of learned counsel for the petitioner is that the whole allegation is false and concocted and marriage was solemnized in the year 2007 and they have children also and petitioner is ready to keep her with dignity and care.

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In this case earlier notice was issued to the complainant opposite party No.2 at the address given in the complaint petition but notice was returned unserved due to insufficient address.

Heard learned APP also.

In view of above facts and circumstances, this application is disposed of with direction to the petitioner to surrender within two weeks from the receipt of this order and on surrender he shall be released on provisional bail to the satisfaction of the court below and in the meantime the court below shall issue notice to opposite party No.2 complainant and once she has appeared and she is ready to reside with the petitioner and petitioner is ready to keep her, the provisional bail granted to the petitioner shall be extended for a further period of six months and during that period the court below shall watch their conduct, specially the conduct of the petitioner and once the court is satisfied with the same, the bail bonds of the petitioner shall be confirmed, otherwise the court is free to pass any other order(s) as it may deem fit and proper, including cancellation of bail bonds of the petitioner. It is also made clear that if opposite party No.2 is not ready to reside with the petitioner, in that case the court below shall hear both the parties

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and pass appropriate order in accordance with law.

(Vinod Kumar Sinha, J)

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