

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49621 of 2019

Arising Out of PS. Case No.-46 Year-2019 Thana- MAHILA P.S. District- Bhojpur

TUNTUN KUMAR @ NEW CHAND KUMAR Son of Ashok Paswan
Resident of Sona Gopalpur, P.S.- Sona Gopalpur, District - Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Rekha Kumari @ Anjali Daughter of Sanjay Paswan Resident of Mohalla - Bahiro, Ward No. - 45, P.S.- Ara Nawada, District - Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 16-11-2019 This application, for grant of anticipatory bail, arises out of Bhojpur Sadar P.S. Case No. 46/2019, disclosing offences under Sections 341, 323, 379, 498A/34 of the Indian Penal Code.

Petitioner happens to be husband of the informant and allegation against him is of subjecting the informant to cruelty in connection with demand of dowry.

Submission of learned counsel for the petitioner is that all the allegations are false and concocted and he is still ready to keep the informant with full honour and dignity and in view of the direction of the court below, he has earlier taken the informant with himself but her father did not allow her to go



with the petitioner.

Heard learned A.P.P. as well as learned counsel for the informant. Learned counsel for the informant has submitted that earlier on the direction of the court below, petitioner has taken the informant with himself but left her at Ara Station, however, in spite of that she is still ready to live with the petitioner, if she is kept with full honour and dignity.

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 28.11.2019 and if the petitioner files a petition that he is ready to keep the informant 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 ten months to his own satisfaction and in the meantime, the court below will watch the conduct of the parties by calling the informant and petitioner in the first week of each month for a period of ten months and after ten months, if the court below is satisfied with the conduct of the parties specially the conduct of petitioner, he will either confirm the provisional bail of the petitioner otherwise, or will pass an appropriate order including



cancellation of provisional bail of the petitioner.

It is made clear that if informant does not appear on the above mentioned date or on appearance, she refused to reside with the petitioner without any cogent reason, in that situation also, the petitioner shall be released on bail by the court below.

(Vinod Kumar Sinha, J)

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