

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51297 of 2019

Arising Out of PS. Case No.-910 Year-2016 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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TAPASH KUMAR MODI @ TAPASH MODI Son of Gajadhar Modi
Resident of Village- Dhamni, P.S.- Rajauli, Dist.- Nawada.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Pryinka Devi W/o Tapas Modi, D/o Ashok Modi R/o Village- Hajara, P.S.-
Rajauli, Dist.- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 04-11-2019 This application, for grant of anticipatory bail, arises

out of Complaint Case No. 910/2016, disclosing offences under

Section 498A of the Indian Penal Code and Section 4 of the

Dowry Prohibition Act.

Petitioner happens to be husband of the complainant
and allegation against him is of subjecting the complainant to
cruelty in connection with demand of dowry. It further appears
that a panchayati was also held, in which, the petitioner agreed
to keep the complainant but he did not keep her and further a
step for conciliation was also taken in the Mahila police station
but there also petitioner refused to keep the complainant with
himself.



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 he has also filed a petitioner under Section 9 of the Hindu Marriage Act for restitution of conjugal rights.

Heard learned A.P.P. as well as learned counsel for the complainant. Learned counsel for the complainant has submitted that the complainant is also ready to live with the petitioner, if she is kept with full honour and dignity as a wife.

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with direction to the petitioner and the complainant to appear before the concerned court below on 14.11.2019 and if the petitioner files an affidavit that he is ready to keep the complainant with himself with full honour and dignity and if he is willing to take the complainant with himself from the court itself, the court below shall release the petitioner on provisional bail for a period of six months to his own satisfaction and in the meantime, the court below will watch the conduct of the parties by calling the complainant and petitioner in the fourth week of each month for a period of six months and after six 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 or will pass any appropriate order including
cancellation of provisional bail of the petitioner.

(Vinod Kumar Sinha, J)

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