

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56363 of 2019

Arising Out of PS. Case No.-108 Year-2016 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

MD. LALO Son of Late Najmul Hoda Resident of Village - Pohaddi Bala,
P.S.- Ghanshyampur, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shabbo Khatoon @ Nazrana Khatoon Wife of Md. Lalo and D/O - Md. Wasir Presently residing at Village - Brahampura, P.O.- Pohaddi Bela, P.S.- Ghanshyampur, District- Darbhanga, Pin Code No. - 847427

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad
For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-11-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with complaint Case bearing CR No.108/16 dated 28.4.2016 registered for offences punishable under Sections 323, 341, 324, 307, 354(B), 498A/34 of the Indian Penal Code and Section 3/4 of the D.P.Act and Section 3/4 of the D.P.Act.

As per FIR petitioner happens to be husband of the complainant and there is allegation of demand of one motorcycle and one cow and for that ousted her from the house after assaulting her.

Submission of the learned counsel for the petitioner is that the allegation is false and concocted and as a matter of fact



he is still ready to keep her with dignity and care.

Heard learned A.P.P. and the learned counsel for the O.P.no.2, who has opposed the prayer for bail and submitted that she is still ready to reside with the petitioner if she is allowed to live with the dignity and care and earlier also he has taken her and again ousted her .

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender on 28.11.2019 and on that day O.P.no.2 shall also remain present in the court below and on appearance of both the parties and on filing of the affidavit by the petitioner that he will take her from the court below itself and will keep her with dignity and care, the petitioner shall be released on provisional bail for a period of ten months in connection with complaint case bearing CR No.108/2016 dated 28.4.2016/T.R.No.2050 of 2018 and during that period, both the parties have to appear before the learned court below in the third week of each month so that the learned court below may watch the conduct and matrimonial relationship between the parties and once being satisfied with the conduct of both the parties and their matrimonial relationship especially the conduct of the petitioner, the bail bond of the petitioner shall be confirmed otherwise the learned court below



is free to pass any other order or orders as he deems fit and proper including cancelling the bail bond of the petitioner. It is needless to say that if O.P.no.2 does not appear on the date fixed, or she is not ready to reside with the petitioner, the petitioner shall be released on bail by the learned court below.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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