

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57401 of 2019

Arising Out of PS. Case No.-168 Year-2019 Thana- KOTWALI District- Munger

KAUSHAL KUMAR Son of Shatrudhan Pd. Barnwal Resident of Village -
Purani Bazar, Main Road, Near the Clinic of Dr. Gautam, P.S.- Jhajha, P.S.-
Jhajha, Distt - Jamui.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nisha Kumari Wife of Kaushal Kumar, D/o Late Gopal Prasad Resident of
Village - Mangal Bazar Munger, P.S.- Kotwali (Basudeopur O.P.), Distt -
Munger.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Pd. Keshri
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-09-2019 Heard both sides.

The petitioner apprehends his arrest in Kotwali
(Basudeopur) P.S. case No. 168/ 2019 for the offences
registered under Section 323, 307, 498A, 504, 506/34 of the IPC
and u/s 3/4 of Dowry Prohibition Act.

The wife of the petitioner filed Complaint case No.
321/2019 on the basis of which the present FIR was registered.
The complainant made allegation of demand of dowry and
torture.

The learned counsel for the petitioner submits that
petitioner is ready to keep his wife with all honour and dignity.

Taking into consideration the facts aforesaid and the
fact that petitioner is ready to restore conjugal relation with his
wife and he is ready to keep his wife with all honour and
dignity, the petitioner, above named, is directed to surrender



before the court below within a period of four weeks from the date of receipt/ production of a copy of this order and on such the learned court below shall enlarge the petitioner on provisional anticipatory bail for four months on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Kotwali (Basudeopur) P.S. case No. 168/ 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure. Thereafter, the learned court below shall make all efforts for resolving the dispute between the husband and wife and if the petitioner is ready to keep his wife properly the provisional bail granted to the petitioner shall be confirmed. If the petitioner fails to keep his wife properly, for no fault of his wife, the learned court below shall pass order on the provisional bail of the petitioner, in accordance with law, immediately after lapse of four months, in accordance with law.

(Prabhat Kumar Jha, J)

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