

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57380 of 2019

Arising Out of PS. Case No.-1098 Year-2017 Thana- BUXAR COMPLAINT CASE District-
Buxar

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RAKESH KUMAR BHAR Son of Late Sudarshan Bhar Resident of Village -
Bisikhurd, P.S.- Dinara, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gita Devi D/O - Sukar Bhar Resident of Village - Saunthila, P.S.- Buxar
(M), District- Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rahul Nath

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-09-2019 This application, for grant of anticipatory bail, arises out
of Complaint Case No. 1098(C) of 2017, disclosing offences under
Section 498A of the Indian Penal Code and Section 3/4 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.

Submission of learned counsel for the petitioner is that all
the allegations are false and concocted and he is still ready to keep
the complainant with full honour and dignity and before the Sessions
Judge also, he has made such submission.

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 to appear before the concerned court below on 24.09.2019, on which, date complainant – opposite party no. 2 shall also remain present, and if the petitioner files a petition that he is ready to keep the complainant with himself with full honour and dignity and will not subject her to torture and cruelty and if he is willing to take the complainant with himself from the court below 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 second week of each month for a period of six months and after six months, if the court below is satisfied with their matrimonial life as well as their conduct specially the conduct of the petitioner, he will pass an appropriate order either confirming the provisional bail of the petitioner or cancelling the same.

(Vinod Kumar Sinha, J)

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