

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1603 of 2019**

Arising Out of PS. Case No.-1199 Year-2017 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Sunil Kumar Das S/o Durga Prasad, R/o Talipara, P.S. Manihari, District Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajori Mandal, W/o Sunil Kumar Das, r/o Tailpara, P.S. Manihari, District Katihar, D/o Late Dilip Kumar Mandal, R/o at present Maike, Pranpur, P.S. Pranpur, District Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

6 19-07-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 1199 of 2017, disclosing offence under Section 498A of the Indian Penal Code.

Allegation against the petitioner as per F.I.R. is that complainant, who happens to be the wife of the petitioner was subjected to different type of cruelty and harassment with respect to demand of Rs.5,00,000/-.

Submission of learned counsel for the petitioner is that the whole allegation is false and concocted. He is still ready to keep her with dignity and care.

Considering the same, on appearance of the opposite party no.2, the matter was referred to the Patna High Court, Mediation and Reconciliation Center, vide order dated



24.04.2019 but mediation failed, as the opposite party no.2 has appeared only on two dates but thereafter, she has not appeared before the mediation center.

It has further been submitted by the learned counsel for the petitioner that petitioner is unemployed whereas the informant is a Teacher and as such, there is incompatibility between them.

Heard learned APP as well as learned counsel for the opposite party no.2 also, they have opposed the prayer for anticipatory bail on the ground that she was subjected to various types of cruelty. But after some arguments, learned counsel for the opposite party no.2 has submitted that she is ready to reside with the petitioner, if she is allowed to live with dignity and care.

Having heard both sides, in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the learned court below on 31.07.2019 and on that day, the opposite party no.2 shall also remain present in the Court, and further on filing of an affidavit by the petitioner that he is ready to keep her with dignity and care and to take her from the Court itself and the opposite party no.2 shall also desire that she wants to go with the petitioner and live with him,



the petitioner shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned A.C.J.M.-IV, Katihar, in connection with Complaint Case No. 1199 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that he is to keep the opposite party no.2 with dignity and care.

With the above observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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