

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60692 of 2019**

Arising Out of PS. Case No.-83 Year-2019 Thana- MAHILA P.S. District- Nalanda

SANTOO KUMAR Son of Ishwar Prasad Resident of Village - Sarbahdi,
P.S.- Manpur, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Babita Kumari

For the Opposite Party/s : Mr.Abhay Kumar Roy

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

3 15-11-2019 This has come under the heading ‘To Be Mentioned’

at the instance of learned counsel for the petitioner stating that

in title portion of order dated 24.9.2019 Cr.Misc.No.60092 of

2019 has inadvertently been mentioned in place of Cr.Misc.No.

60692 of 2019, as such the order has not been communicated to

the court below at Biharsharif, Nalanda and due to wrong

mentioning of case number the order has been sent to the court

at Saran.

In the said circumstances, the order dated 24.9.2019
passed in Cr.Misc.No. 60092 of 2019 is recalled and the order
dated 24.9.2019 passed in Cr.Misc.No. 60092 of 2019 be read as
passed in Cr.Misc.No. 60692 of 2019, which reads as follows :

Petitioner seeks bail in anticipation of his arrest in
connection with Mahila P. S. Case No. 83 of 2019 registered for



the offences punishable under Sections 498A, 323, 504, 506, 341/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

As per FIR there is allegation against the petitioner of demanding dowry and for that she was subjected to assault and she was confined in a room and accused persons fled away and on hulla villagers got her freed.

Submission of learned counsel for the petitioner is that the allegation is false and concocted and he is ready to keep her with dignity and care and petitioner is working in CRPF.

Heard learned APP and perused the FIR, from which it appears that informant is not ready to reside with the petitioner and petitioner is not paying any expenses to her though he is working in CRPF.

In view of above facts and circumstances, let petitioner in the event of surrender within a period of two weeks from the receipt of this order be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Nalanda at Bihar Sharif, in connection with Mahila P. S. Case No. 83 of 2019, subject to the conditions as laid down under Section 438(2) of Cr.P.C. and further condition that one of



the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of court concerned and further condition that petitioner has to pay Rs.5000/- per month to the informant for a period of one year. It is expected that informant, in the meantime, shall approach the Family Court for grant of maintenance in which on personal service of notice the petitioner will appear and co-operate in disposal of maintenance case and will abide by the order, either interim or final, passed by learned Family Court, unless the same is modified or set aside by any higher court.

Let this order be communicated to the court concerned forthwith and at the same time let the order dated 24.9.2019 wrongly passed in Cr.Misc.No. 60092 of 2019 be kept on the record of Cr.Misc.No. 60092 of 2019 for further clarification.

(Vinod Kumar Sinha, J)

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