

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62143 of 2019**

Arising Out of PS. Case No.-266 Year-2017 Thana- NAWADAH COMPLAINT CASE
District- Nawada

=====

DHARMENDRA KUMAR VISHWAKARMA @ DHARMENDER KUMAR
VISHWAKARMA s/o Ramdhari Mistri Village- Mahisauri Chouk, Near Bus
Stand, P.S.- Jamui, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Devi W/O Dharmendra Kumar Vishwakarma, D/O Tulsi Vishwakarma Village- Mahisauri Chouk, Near Bus Stand, P.S.- Jamui, District- Jamui. At Present R/o Village- Kadirganj (O.P.) Nawada, P.S.- Kadirganj (O.P.), Nawada, District- Nawada.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Shankar Kumar
For the Opposite Party/s	:	Mr.Dr.Mrityunjaya Kr.Gautam
For O.P. No. 2	:	Mr. Pramod Kumar Verma

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-10-2019 This application, for grant of anticipatory bail, arises out of Complaint Case No. 266/2017, disclosing offences under Section 498A, 323 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,



which will appear from the fact that petitioner has filed a case under Section 9 of the Hindu Marriage Act, for restitution of conjugal rights.

Heard learned A.P.P. as well as learned counsel for the complainant. Learned counsel for the complainant has submitted that in the court below the petitioner has refused to keep the complainant. In spite of 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 fact that is is a matrimonial dispute between the parties and in order to restore the peaceful matrimonial life of the parties, this court deems it proper to dispose of this application with direction to the petitioner and the complainant to appear before the concerned court below on 18.10.2019 and if the petitioner files an affidavit that he is ready to keep the complainant with himself with full honour and dignity and if he is willing to take the complainant with himself from the court 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 first week of each month for a



period of six months and after six months, if the court below is satisfied with the conduct of the parties, specially the conduct of the petitioner and their matrimonial life, he will confirm the provisional bail of the petitioner otherwise, he is free to pass any order/orders as he deems fit and proper including cancellation of provisional bail of the petitioner.

(Vinod Kumar Sinha, J)

sunilkumar/-

U			
---	--	--	--

