

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64883 of 2019

Arising Out of PS. Case No.-317 Year-2016 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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RAKESH DAS Son of Late Funkan Das Resident of Village - Bijbani, P.S.-
Jitna, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sima Devi D/o Shambhu Das Resident of Village - Ashram Road Raxaul,
Ward No.9, P.S.- Raxaul, Distt.- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Umesh Chandra Verma, Adv.
for the complainant	:	Mr. Kundan Rathore, Adv.
For the Opposite Party/s	:	Mr.Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-10-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No.C-317 of 2016 registered for the offence punishable under Sections 323, 498(A) of the IPC and $\frac{3}{4}$ of Dowry Prohibition Act.

As per FIR, there is allegation against the petitioner of subjecting the complainant who is wife of the petitioner of torture as harassment with respect to dowry, it further appears that the matter was pending for appearance of the petitioner since 2017.

Submission of learned counsel for the petitioner is that he is still ready to keep her with dignity and care whereas the learned counsel for the opposite party no.2 submit that she



was forced to live separately since 2016 but still she is ready to reside with the petitioner, if she is allowed to live with dignity and care.

Considering the above submission this application is disposed of with a direction to the petitioner to surrender and pray by 7.11.2019 on that day opposite party no.2 complainant shall also remained present in the court and if any affidavit has been filed by the petitioner then he is ready to keep her with dignity and care, he will be released on provisional bail for six months to the satisfaction of the court below with condition that they have to appear on fourth week of each month, so that court may watch their conduct and only when the learned court is satisfied with the conduct of both the parties, especially of the petitioner, provisional bail granted to him shall be confirmed, otherwise the court below is at liberty to pass any other order or orders which may be deemed fit and proper, including cancelling his bail bonds.

Accordingly this application is disposed of with above direction.

(Vinod Kumar Sinha, J)

Prakash Narayan /-

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