

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64960 of 2019

Arising Out of PS. Case No.-1241 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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BALIRAM MAHTO @ BALRAM MAHTO Son of Late Rup Narayan
Mahto Resident of Village - Muja, P.S.- Deoriya, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ramo Kunwar Wife of Bhuwan Mahto Resident of Village - Parsauni Wazid,
P.S.- Kalyanpur, Distt - East Champaran.
3. Sarita Devi D/o Bhuwan Mahto Resident of Village - Parsauni Wazid, P.S.-
Kalyanpur, Distt - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-10-2019 Petitioner seeks bail in anticipation of his arrest in connection with trial No. 2176 of 2019, arising out of Complaint Case No. C-1241 of 2018, registered for the offences punishable under Section 498 (A) of the Indian Penal Code.

As per complaint petition petitioner happens to be husband of the complainant and there is allegation that after birth of a female child petitioner has started subjecting her to cruelty and ousted her from house.

Submission of the learned counsel for the petitioner is that the above allegation is false and concocted. There is no allegation of demand of dowry and moreover he is still ready to



keep her with full dignity and care and it is the complainant who is not residing with the petitioner as she wants petitioner live as Ghar Jamai in her Maik.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts as stated above, this application is disposed of with a direction to the petitioner to surrender before the learned Court below within a period of three weeks from the date of receipt of certified copy of this order, on surrender, he will be released on provisional bail for a period of six months to the satisfaction of the learned court below. During that period, the Court below shall issue a notice to the opposite party No. 2 and on her appearance, if she shows her desires to reside with the petitioner and petitioner is ready to keep her with dignity and care. During that period, the learned Court below shall watch the conduct of both the parties and further directs that both the parties shall appear in the second week of each month before the learned Court below. Once the Court below is satisfied with the conduct of both the parties, and their marital relationship, especially the conduct of the petitioner, the Court below either confirm the bail bonds of the petitioner or pass any other orders, which may deem fit and proper, including cancelling the bail bonds of the petitioner.



It is made clear that despite issuing notice if the opposite party No. 2 does not appear or not ready to reside with the petitioner, the learned Court below shall confirm the provisional bail of the petitioner.

(Vinod Kumar Sinha, J)

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