

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64969 of 2019

Arising Out of PS. Case No.-496 Year-2015 Thana- COMPLAINT CASE District- Araria

ABDUL RAHIM Son of Md. Hasibur Rahman @ Hasib Resident of Village -
Thenghapur, P.S.- Jokihat, Distt.- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Nasrin D/o Md. Razaul Haque, W/o Abdul Rahim Resident of Village -
Dhapi, P.S.- Jokihat, Distt.- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-10-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 496c of 2015, registered for the offences punishable under Sections 147, 323, 498A, 406 of the Indian Penal Code and Section 3/ 4 of the D.P. Act.

As per complaint petition petitioner happens to be husband of the complainant and there is allegation of demand of Rs.50,000/- and buffalo and on non-fulfillment of said demand 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 and he is still ready to keep her with full dignity and care.



Heard learned A.P.P. also.

Having heard both sides, considering the fact that it is a marital dispute and the petitioner is ready to keep her with dignity and care, in such view of the matter, 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, she is ready to reside with the petitioner, petitioner and petitioner shall 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



complainant does not appear or does not choose to reside with the petitioner without any sufficient reason the learned Court below shall confirm the provisional bail of the petitioner.

(Vinod Kumar Sinha, J)

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