

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65762 of 2019

Arising Out of PS. Case No.-2095 Year-2017 Thana- COMPLAINT CASE District- Araria

Ashok Sah @ Ashok Kumar Sah, Son of Ram Narayan Sah, Resident of
Village - Belsari, P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandni Devi, D/O - Biren Sah, W/O- Ashok Sah, Resident of Village -
Sohagmari Pokhariya, P.S.- Bardah, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the Opposite Party/s : Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-10-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 2095C of 2017, disclosing offences under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

As per complaint case, petitioner happens to be the husband of the complainant and he is said to have demanded dowry and for that, the complainant was ousted from the house.

Submission of learned counsel for the petitioner is that the allegation is false and concocted. She has left the house on her own sweet will. Now a talk is going on to settle the dispute between the parties. Further submission is that he is still ready to keep her with dignity and care.

Heard learned APP also.

Having heard both sides, in view of the facts, as stated



above, as the matter relates to marital dispute, this application is disposed of with a direction to the petitioner to surrender before the learned court below by 14.11.2019, 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 desires to reside with the petitioner and petitioner is ready to keep her with dignity and care, the provisional bail granted to the petitioner shall be extended for a further reasonable period. During that period, both the parties shall appear before the court below, so that the court below shall watch the conduct of both the parties. Once the court below is satisfied from the conduct of both the parties, especially, the conduct of the petitioner, shall confirm the bail bonds of the petitioner, otherwise, he is free to pass any other order or orders, which may be deemed fit and proper, including cancelling the bail bonds of the petitioner.

It is also made clear that even in spite of issuance of notice, the opposite party no.2 if not appeared or is not read to reside with the petitioner without any reasonable cause, the bail bonds of the petitioner shall be confirmed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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