

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66100 of 2019

Arising Out of PS. Case No.-178 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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NAWAL THAKUR Son of Late Gagandeo Thakur Resident of Village -
Kadmwa, P.S.- Ghorasahan, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Sharmila Devi W/o Nawal Thakur, D/o Gauri Shankar Thakur, At Present
Resident of Village - Pipariya, P.S.- Palanwa, Distt.- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-10-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Trial No. 2632 of 2019 arising out of

Complaint Case No. C 178 of 2018, registered for the offences

punishable under Sections 498 (A), 354 (B), 307, 313, 406, 379,

34 of the Indian Penal Code but learned S.D.J.M. Raxaul took

cognizance U/s 323 & 498-A of the I.P.C.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.2,00,000/- and one Bullet Motor Cycle as dowry 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 marriage was solemnized nine years earlier to the lodging of complaint petitioner he is still ready to keep her with full dignity and care and he appeared before the learned Sessions Judge but matter has not been sent for reconciliation.

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 by 08.11.2019 , 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, 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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