

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67981 of 2019

Arising Out of PS. Case No.-1140 Year-2018 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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UDAY KUMAR MEHTA S/o Ramjanam Prasad Mehta R/o village-
Barwadih, P.O. and P.S.- Haidarnagar, District- Palamu, Jharkhand.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Sulekha Devi D/o Ramishwar Prasad Mehta, W/o Uday Kumar Mehata R/o
village- Barwadih, P.O. and P.S.- Haidarnagar, District- Palamu, Jharkhand.
At present resident of village and P.O.- Dugul, P.S.- Kasma, District-
Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Rupa Kumar, Advocate.
For the Opposite Party/s : Mr.Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-10-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Complaint Case No. 1140 of 2018, registered

for the offences punishable under Sections 498 (A), 379, 504,

323/34 of the Indian Penal Code and accordingly cognizance

has been taken under Section 323/498A of I.P.C. and Section 4

of Dowry Prohibition Act.

As per complaint petition petitioner happens to be

husband of the complainant and used to demand one Motor

Cycle and rupees one lac cash from the complainant and for that

she was assaulted and ousted from the house.

Submission of the learned counsel for the petitioner



is that no specific allegation has been attributed against him 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 three weeks from the date of receipt of 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, and keep her with dignity and care petitioner is ready to his provisional bail shall be extended for further six months. During that period, the learned Court below shall watch the conduct of both the parties by directing that both the parties to 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 shall confirm the bail bonds of the petitioner otherwise 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 genuine reason the learned Court below shall confirm the provisional bail of the petitioner.

(Vinod Kumar Sinha, J)

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