

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67079 of 2019

Arising Out of PS. Case No.-2249 Year-2018 Thana- COMPLAINT CASE District- Araria

PANDAV KUMAR SINGH Son of Gultan Singh Resident of Village - Balha,
P.S.- Bihpur (Bhawanipur O.P.), P.S.- Navgachia, Distt - Bhagalpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Phool Kumari Wife of Pandev Kumar Singh, D/o Nityanand Mehta Resident of Village - Balha, P.S.- Bihpur (Bhawanipur O.P.), P.S.- Navgachia, Distt - Bhagalpur. at present resident of village - Bhadraeshwer, P.S.- Jogbani, Distt - Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Shankar

For the Opposite Party/s : Mr.Ram Bachan Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-10-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 2249-C of 2018 registered for the offences punishable under Sections 498A, 447, 323, 504 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act, including Section 27 of the Arms Act.

As per complaint petition the petitioner happens to be husband of the complainant and there is allegation against him that he demanded Rs.2 lac and for that he ousted her from the house.

Submission of learned counsel for the petitioner is that there is no specific allegation against him, rather there is general and omnibus allegation against all the accused persons and moreover he is still ready to keep her with dignity and care if she is ready to reside with him.

Heard learned APP also.



In view of above facts and circumstances, this application is disposed of with direction to the petitioner to surrender in the court below within a period of three weeks from the receipt of this order and on surrender he shall be released on provisional bail by the court below to its own satisfaction and learned court below shall issue notice to opposite party No.2 and once she has appeared and is ready to reside with the petitioner and petitioner is ready to keep her with dignity and care, the provisional bail of the petitioner shall be extended for a further period of six months and during that period the court shall watch their conduct and once the court is satisfied with the same the court shall confirm the bail bonds of the petitioner, otherwise the court is free to pass any other order(s) as it may deem fit and proper, including cancellation of bail bonds of the petitioner.

It is made clear that if on notice opposite party No.2 has not appeared or is not ready to reside with the petitioner without showing any genuine ground, the bail bonds of the petitioner shall be confirmed.

(Vinod Kumar Sinha, J)

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