

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73238 of 2019

Arising Out of PS. Case No.-126 Year-2019 Thana- DHAKA District- East Champaran

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IMTEYAZ ALAM S/o- Serajul Mian Resident of Village- Jhausa Ram, P.S.-
Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Abdul Rahim Mian @ Abdul Rahim Son of Bhola Mian Resident of Village-
Latihanwa, P.S.- Adapur, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar, Advocate.
	:	Mr. Priyanka Kumari, Advocate.
For the Opposite Party/s	:	Mr. Sucheta Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-11-2019 Petitioner seeks bail in anticipation of his arrest in connection with Dhaka P.S. Case No.126 of 2019, G.R. No. 523 of 2019, registered for the offences punishable under Sections 498 (A) of the Indian Penal Code.

As per petitioner happens to be husband of the daughter of the informant and there is allegation of demand as well as torture and further there is allegation that while daughter of the informant was pregnant and admitted in the hospital, petitioner fled away after leaving the daughter of the informant and did not turn up.

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 and this stand is also taken before the learned Court below.

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 within three weeks from receipt of the 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 daughter of opposite party No. 2 and on her appearance, if she is ready to reside with the petitioner, and petitioner is ready to keep her with dignity and care provisional bail granted to the petitioner shall be extended for six months and during that period, the learned Court below shall watch the conduct of both the parties and further directs both the parties shall appear in the third week of each month before the learned Court below so that he may watch their conduct. 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 be deemed fit and proper, including cancelling the bail bonds of the petitioner.

It is made clear that despite issuing notice if the daughter of O.P. no. 2 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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