

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71080 of 2019

Arising Out of PS. Case No.-208 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

RAJESH PRASAD Son of Sri Ramdeo Prasad Resident of Village -
Manikpur Mishriya, P.O. and P.S.- Harsidhi, District - East Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nitu Kumari Wife of Rajesh Prasad D/o Sri Gorakh Prasad Kushwaha @
Master Prasad Kushwaha, Resident of Village - Sataha Dubey Tola, P.O. and
P.S.- Paharpur, District - East Champaran

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pravin Kumar
For the Opposite Party/s : Ms.Asha Devi

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-11-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Complaint Case No. C-208 of 2019 registered

for the offences punishable under Sections 498A, 328, 313 of

the Indian Penal Code and Sections 3/4 of Dowry Prohibition

Act.

Petitioner happens to be husband of complainant and

as per complaint petition petitioner was demanding

Rs.1,70,000/- as dowry, which was paid to the accused persons

and thereafter they were demanding a four wheeler and it is

alleged that when she was pregnant her pregnancy was aborted

and she has a child also and they tried to kill her.

Submission of learned counsel for the petitioner is



that whole allegation is false and concocted and he is still ready to keep her with dignity and care and he has also filed Matrimonial Case No. 111 of 2019 under Section 9 of Hindu Marriage Act.

Heard learned APP also.

In view of above facts and circumstances and the stand taken by the petitioner, this application is disposed of with direction to the petitioner to surrender in the court below and on surrender he shall be released on provisional bail to the satisfaction of the court below and in the meantime learned court below will call upon the complainant on notice and once the complainant appears and shows her desire to reside with the petitioner and in that case petitioner has to keep her with dignity and care and will take her from the court itself, the court below shall extend the period of provisional bail for a further period of six months and during that period the court below shall watch their conduct and once the court is satisfied with their conduct, specially the conduct of the petitioner, the bail bonds of the petitioner shall be confirmed, 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 needless to say that if complainant did not appear



on notice to her or she chooses not to reside with the petitioner without showing any genuine reason, in that event the bail bonds of the petitioner shall be confirmed.

(Vinod Kumar Sinha, J)

spal/-

U		T	
---	--	---	--

