

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79558 of 2019

Arising Out of PS. Case No.-185 Year-2016 Thana- COMPLAINT CASE District- Sheohar

Md. Firoj Son of Md. Wakil Mansoori Resident of Village- Rampur Kesho,
Daud Nagar, P.S.- Shyampur Bhatha, District- Sheohar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Afarida Khatoon Wife of Md.Firoz Resident of Village- Rampur Kesho,P.S-
Shyampur Batha, District-Sheohar, Present Address- R/o- Naya Gaw, P.S-
shyampur Bhatha, District- Sheohar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Hans Lal Kumar
For the Opposite Party/s	:	Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in a case registered for the offence under sections 323, 498A and 34 of the Indian Penal Code.

As per the allegation in the complaint, it is stated by the opposite party no. 2 that she was subjected to cruelty by the petitioner and others for non-fulfillment of demand of dowry of motorcycle.

On the matter being taken up the opposite party no. 2 has appeared in the case *suo motu* through her advocate without



issuance of notice.

It is submitted by learned counsel for the petitioner that he is ready to keep the opposite party no. 2 with full honour and dignity to which the counsel for the opposite party no. 2 submits that she is also ready to go and live in sasural with the petitioner.

Having heard learned counsel for the parties and taking into consideration the facts and circumstance of the case, the court is inclined to enlarge the petitioner on bail. The petitioner above named, in the event of his arrest or surrender in the court below within a period of six weeks from today in connection with Complaint Case No. 185 of 2016 is directed to be enlarged on bail on furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheohar subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

It is further directed that the petitioner within the aforesaid period of six weeks shall also file an affidavit in the Court below that he is ready to keep the opposite party with him in his house. On filing of the said affidavit the court below shall fix a date with due intimation to counsel for the parties on which both the petitioner and the opposite party no. 2 shall



appear in person in the court below on the date fixed and the opposite party no. 2 shall proceed with the petitioner to his home. It is further directed that as per his undertaking, the petitioner shall keep the opposite party no. 2 with full honour and dignity and in case of any complaint, the same shall be brought by the opposite party no. 2 to the knowledge of the Court below, on which the Court below shall proceed in accordance with law.

(Partha Sarthy, J)

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