

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76752 of 2018

Arising Out of PS. Case No.-348 Year-2018 Thana- KOILWAR District- Bhojpur

Ajay Kumar @ Ajay Singh S/o Paras Nath Mahto, Resident of Village-
Mahadeo Chak, P.S.- Koilwar, Dist- Bhojpur, Bihar.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Rajni Kumari, D/o Shashi Bhushan Saheb, R/o Baruhi, P.S.- Sahar, Dist-
Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudha Chandra

For the Opposite Party/s : Mr.Sri Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

4 17-06-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complain Case No.1231 of 2018, registered for offences punishable under Sections 498A and 379 of the Indian Penal Code and Section 3 of the Dowry Prohibition Act.

Allegation against the petitioner is of subjecting his wife to cruelty and harassment with respect of demand of dowry.

Submission of the learned counsel for the petitioner is that he is still ready to keep her with dignity and care and for that he has also filed a petition under Section 9 of the Hindu Marriage Act for restitution of the conjugal right. It further appears that earlier the case was referred to the Mediation Centre but the mediator report shows that parties have not appeared.

Heard learned A.P.P. , who has opposed the prayer for



bail of the petitioner stating that she is ready to reside with the petitioner, if she is allowed to reside with the dignity and care.

In such view of the matter, let the petitioner, above named, surrender before the learned court below on 01.07.2019 and on that day the O.P.no.2 shall also remain present there and on filing an application by the petitioner that he is ready to keep her with dignity and care and will not subject her to harassment and torture, and he is ready to take her from the court itself, he shall be released on provisional bail in connection with Koilwar P.S.Case No.348 of 2018 arising out of Complaint Case No.1231 of 2018 for a period of six weeks and during that period, the learned court below shall examine their conduct by calling them in the first week of each month and once the court being satisfied with the conduct of both the parties especially the conduct of the petitioner, shall confirm the bail bond of the petitioner, otherwise he is free to pass any other order of orders including cancellation of the bail bond of the petitioner.

With the above direction, this application is disposed of.

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(Vinod Kumar Sinha, J)

