

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2061 of 2019

Arising Out of PS. Case No.-1688 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Shivnath @ Shivnath Kumar, Son of Doman Mistry, Resident of Village –
Kurthaul Parshuram Chak, P.S. - Parsa Bazar, District – Patna.

... .. Petitioner/s

Versus

State Of Bihar

Gauri Kumari @ Gauri Devi, Wife of Shivnath @ Shivnath Kumar, Daughter
of Sri Ram Narayan Mistri @ Shyam Narayan Mistri, at present residing in
her naiher at Mohalla – Postal Park, Road No. 3, P.S. - Jakkanpur, District –
Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma
For the Opposite Party/s : Mr.Sri Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-01-2019 This application, for grant of anticipatory bail, arises

out of Complain Case No. 1688/2017, disclosing offences under

Sections 406, 498(A), 384, 379/34 of the Indian Penal Code.

Petitioner happens to be husband of the complainant
and allegation against him is of subjecting the informant to
cruelty in connection with demand of dowry.

Submission of learned counsel for the petitioner is
that he is always ready to keep the complainant with himself
with full honour and dignity as a wife and petitioner has already
filed a case for restitution of conjugal rights under Section 9 of
the Hindu Marriage Act and it is the complainant, who does not
want to live with the petitioner for which, this false and



concocted case has been lodged.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with direction to the petitioner to surrender in the court below within a period of six weeks and on his surrender, the court below shall release the petitioner on provisional bail for a period of two months to his own satisfaction and in the meantime, the court below will notice the complainant and petitioner and on appearance of the parties, the court below will found out as to whether, the petitioner is ready to keep the complainant with himself or not and it is found that there is no fault on the part of the petitioner, the court below will confirm the provisional bail of the petitioner otherwise, he is free to pass any order as he deems fit and proper

(Vinod Kumar Sinha, J)

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