

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2942 of 2020

Arising Out of PS. Case No.-87 Year-2019 Thana- MAKER District- Saran

DEEPAK BAITHA Son of Suresh Baitha Resident of Village- Tara Amnour,
P.S.- Maker, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Basant Kumar Singh
For the Informant	:	Mr. Umesh Kumar Roy
For the Opposite Party/s	:	Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-01-2020 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Maker P.S.case No87 of 2019 dated 26.5.2019 registered for offences punishable under Sections 341, 323, 498(A)/34 of the Indian Penal Code.

Prosecution story is of demand of motorcycle and Rs.80,000/- and for non-fulfillment of the same, subjecting the informant (wife) to cruelty. It further appears that in the court she has also made allegation of assault by the petitioner and other accused persons.

Submission of the learned counsel for the petitioner is that the allegation is false and he is still ready to keep her with dignity and care.

Heard learned A.P.P. and the learned counsel for the informant has appeared *suo motu* and submitted that she is also ready to reside unless she is not assaulted and subjected to cruelty. She has children also. .

Having heard both sides and in view of the facts and



circumstances, as stated above, let the petitioner surrender on 10.02.2019 and on that day O.P.no.2 shall also remain present in the court below and on appearance of both the parties and on filing of the affidavit by the petitioner that he will take her from the court below itself and will keep her with dignity and care, the petitioner shall be released on provisional bail in connection with Maker P.S.case No87 of 2019 for a period of six months and during that period, both the parties have to appear before the learned court below in the third week of each month so that the learned court below may watch the conduct and matrimonial relationship between the parties and once being satisfied with the conduct of both the parties and their matrimonial relationship especially the conduct of the petitioner, the bail bond of the petitioner shall be confirmed otherwise the learned court below is free to pass any other order or orders as he deems fit and proper including cancelling the bail bond of the petitioner.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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