

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30433 of 2020

Arising Out of PS. Case No.-197 Year-2018 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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SUBODH KAMTI Son of Ram Kamti Resident of Village- Bangarahatta,
Police Station- Singhia, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bharat Bhushan
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-12-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Complaint Case No.197 of 2018 for the offences allegedly committed by the petitioner under Sections 498A, 323, 406 and 379 of the Indian Penal Code.

The complainant, wife of the petitioner, alleged that her husband assaulted her and drove her out after snatching her belongings.

The learned counsel for the petitioner submits that allegation is false. Petitioner was keeping his wife at his working place in Mumbai but now-a-days, his wife is living with her parents and that is why she filed this case making false and frivolous allegation. The petitioner is still ready to keep his wife and child with all honour and dignity.



Taking into consideration the facts that petitioner is willing to keep his wife and child with all honour and dignity, the petitioner, above named, is directed to surrender before the court below within a period of four weeks from the date of receipt of this order and on such, learned court below shall enlarge the petitioner on provisional anticipatory bail for six months on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. V, Roshra in connection with Complaint Case No.197 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Thereafter, the learned court below shall make efforts for resolution of the disputes between the husband and the wife. If the petitioner keeps his wife and child with all honour and dignity, the provisional bail granted to the petitioner shall be confirmed. If the petitioner fails to keep his wife and child with all honour and dignity, learned court below shall pass order on the provisional bail of the petitioner on its own merit after lapse of six months.

(Prabhat Kumar Jha, J)

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