

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68527 of 2019

Arising Out of PS. Case No.-63 Year-2019 Thana- RAUTARA District- Katihar

Md. Shahabuddin, S/O Late Nasim Moulvi, R/O- Chandwa Bhadaiya Ramna,
P.S.- Rautara, Distt.- Katihar. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-01-2020 This is an application for grant of anticipatory bail in connection with Rautara P. S. Case No. 63 of 2019, disclosing offences under Sections 494, 498A and 315 of the IPC and Section 3/4 of Dowry Prohibition Act.

As per F.I.R. there is allegation of demand of Rs.1 lakh and one motorcycle from the complainant by the petitioner, who happens to be her husband and for that, she was subject to cruelty and ousted from the house. It further appears that the complainant is the second wife and by suppressing the earlier marriage, he has solemnized the second marriage.

Submission of the learned counsel for the petitioner is that he is still ready to keep her with dignity and care, but she is not ready to live with him and the allegation of demand is false and concocted.

Heard learned A.P.P. as well as learned counsel for the complainant also, who has submitted that by suppressing his earlier marriage, he has solemnized the second marriage. In spite of that, she is ready to reside with him if she is allowed to live with dignity and



care and she will be maintained properly.

Having heard both sides, considering the stand of the parties, this application is allowed. Let the petitioner, above named, surrender before the court below on 24.01.2020, on that day the opposite party no.2 shall also remain present in the Court, and further on filing of an affidavit by the petitioner that he is ready to keep her with full dignity and care and will provide proper maintenance and to take her from the Court itself, he will be released on provisional bail for a period of six months. During that period, the learned court below shall watch the conduct of both the parties and further directs that both the parties shall appear in the third week of each month before the learned court below. Once being satisfied with the conduct of both the parties, and their marital relationship, especially the conduct of the petitioner, the provisional bail granted to the petitioner shall be confirmed, otherwise, he is free to pass any other orders or order, which may deem fit and proper, including cancelling the bail bonds of the petitioner.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

U		T	
---	--	---	--

