

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73316 of 2019**

Arising Out of PS. Case No.-7 Year-2019 Thana- MAHILA P.S. District- Siwan

SHAUKAT ALI S/o Jan Mohammad R/o village- Gausia Dumariya, P.S.-
Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Zobaida Khatton @ Shabnam W/o Shaukat Ali R/o village- Gausia Dumariya, P.S.- Manjhagarh, District- Gopalganj, at present D/o Idris Miyan, R/o village- Pach Pakadia, P.O.- Tarwara, P.S.- G.B. Nagar, District- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Irshad Ahmad Khan
For the Opposite Party/s : Mr.Arun Kumar

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 10-01-2020 Petitioner seeks bail in anticipation of his arrest in connection with Siwan Mahila P. S. Case No. 07 of 2019 registered for the offences punishable under Section 498A of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

As per FIR there is allegation against the petitioner, who happens to be husband of the informant, is that he demanded a motorcycle and for that he ousted her from the house taking her ornaments.

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

Earlier considering the above submission petitioner



was directed to go to his sasural and bring her back and submission is that he went there but she did not come to reside with him.

On the other hand, learned counsel for opposite party No.2 has submitted that petitioner did not come to bring back the informant but she is still ready to reside with the petitioner.

Heard learned APP also.

In view of above facts and circumstances, this application is disposed of with direction to the petitioner to surrender in the court below on 24.1.2020, on that day opposite party No.2 shall also remain present in the court and on filing of an affidavit by the petitioner that he is ready to take her from the court itself and keep her with dignity and care, he shall be released on provisional bail by the court below for a period of six months and during that period both the parties have to appear in the court below in third week of each month, so that the court may watch their conduct and marital relationship between the parties and once the court is satisfied with the conduct of both the parties, specially the petitioner, bail bonds of the petitioner shall be confirmed, otherwise the court is free to pass any other order(s) as it may deem fit and proper, including cancellation of bail bonds of the petitioner. It is made



clear that if opposite party No.2 is not ready to reside with the petitioner or does not appear in court on the date fixed, in that event, provisional bail of the petitioner shall be confirmed by the court below itself.

(Vinod Kumar Sinha, J)

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