

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72275 of 2019

Arising Out of PS. Case No.-44 Year-2018 Thana- COMPLAINT CASE District- Kishanganj

Jitendra Mandal, Son of Nashib Lal Mandal, Resident of Thouwapara, P.S.-
Terhagachh, District- Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kranti Devi, Wife of Jitendra Mandal, Resident of Thouwapara, P.S.-
Terhagachh, District- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-01-2020 This is an application for grant of anticipatory bail in connection with Complaint Case No. C 44 of 2018, disclosing offences under Section 498A of IPC and Section 3/4 of Dowry Prohibition Act.

As per complaint, petitioner happens to be the husband of the complainant and allegation is of demand of one motorcycle and for that, she was ousted from the house.

Submission of the learned counsel for the petitioner is that he has falsely been implicated in this case. He is still ready to keep her with dignity and care, that stand he has already taken before the learned Sessions Judge, but he has not considered the same.



Heard learned A.P.P. also.

Having heard both sides, considering the submissions made above, let petitioner, above named, surrender before the learned court below on 27.01.2020, on filing an undertaking that he is ready to keep her with dignity and care, a notice shall be issued to the complainant/opposite party no.2 by the court below. In the meantime, the petitioner shall be released on provisional bail to the satisfaction of the learned court below. In the meantime the learned court below shall issue notice to the opposite party no. 2 and once the complainant appear and show her desire to live with the petitioner, he has to keep her with dignity and care and for that, the provisional bail granted to the petitioner shall be extended for further period of six months. During that period, both the parties have to appear before the court below, so that he may watch the conduct of both the parties and their marital relationship. Once being satisfied with the conduct of both the parties, especially the conduct of the petitioner, the provisional bail granted to the petitioner, shall be confirmed, otherwise he is free to pass any other order or orders, which may be deemed fit and proper including cancelling the bail bonds of the petitioner.

It is also made clear that if the opposite party no.2



does not chose to appear or she is not ready to reside with the petitioner, in that case also, the provisional bail granted to the petitioner shall be confirmed.

With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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