

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84958 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- AZIMABAD District- Bhojpur

RAJESH THAKUR @ RAJESH KUMAR S/o Rama Shankar Thakur
Resident of Village- Hathi Tola, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sweta Devi W/o Late Saroj Thakur Resident of Village- Hathi Tola, P.S.- Maner, District- Patna, at present Resident of Village- Chilahar, P.S.- Azimabad, District- Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Singh
For the State	:	Mr.Ram Sevak Choudhary
For the Informant	:	Mr. Madanjeet Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

8 28-09-2020 Heard both sides.

The petitioner apprehends his arrest in Azimabad P.S. case No. 36/ 2019 registered under Section 341, 323, 354, 376, 511, 498(A/34 of the IPC, u/s 3/4 of Dowry Prohibition Act and u/s 66(A), 66(E) and 72 of I.T. Act.

The learned counsel for the petitioner submits that petitioner is husband of the informant. All the allegations made in the FIR are false and concocted. The informant does not want to live with the petitioner. The petitioner is ready to keep his wife with all honour and dignity. The petitioner is Constable in Into Tibetan Border Police.

On such submission, the learned counsel for the



informant submits that informant is also willing to live with her husband provided her husband keeps her properly. It is submitted that petitioner may be granted provisional bail for six months so that the learned court below may make all efforts for resolving the dispute between the husband and wife.

Taking into consideration the facts aforesaid and the willingness of the petitioner and his wife to restore the conjugal relation, the petitioner, above named, is directed to surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order and on such the learned court below shall enlarge the petitioner on provisional anticipatory bail for six months on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub divisional Judicial Magistrate, Bhojpur in connection with Azimabad P.S. case No. 36/ 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The learned court below shall make all efforts for resolving the dispute between the husband and wife and if the petitioner keeps his wife properly the provisional bail granted to the petitioner shall be confirmed. If the petitioner fails to keep his wife properly, the learned court below shall pass order on the



provisional bail of the petitioner, in accordance with law,
immediately after lapse of six months.

(Prabhat Kumar Jha, J)

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