

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86477 of 2019

Arising Out of PS. Case No.-2185 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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AMIT KUMAR GIRI @ AMIT GIRI Son of Late Sudama Giri Resident of
Village - Jaga Pakar Giri Tola, P.S.- Harsidhi, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi Wife of Amit Giri D/o Raghav Giri, Resident of Village - Jaga Pakar Giri Tola, P.S.- Harsidhi, Distt.- East Champaran, At present vill.- Hataharpur, P.S.- Chakia, Distt.- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 06-10-2020 Heard Mr. Anand Kishore Choudhary, learned counsel for the petitioner, Mr. Madhurendra Kumar, learned counsel for Opposite Party No. 2 and Mr. Ajeet Kumar, learned APP for the State.

The petitioner, who is the husband of Opposite Party No. 2, seeks bail in anticipation of his arrest in connection with Complaint Case No. 2185 of 2018 (Tr. No. 2369 of 2019), in which cognizance has been taken under Section 498A of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act, 1961.



At the outset, learned counsel for the petitioner submits that his client is ready to keep Opposite Party No. 2 as his legally wedded wife with full dignity and honour.

The counsel appearing for Opposite Party No. 2 submits that she also is ready to go and join the matrimonial home with of the petitioner, subject to the assurance that Opposite Party No. 2 shall not be physically assaulted.

Regard being had to the assurance given by the petitioner that he is ready to restore the matrimonial relationship with his wife, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sadar, Motihari in connection with Complaint Case No. C-2185 of 2018



(Tr. No. 2360 of 2019), subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The petitioner shall bring back his wife to his house within a period of four weeks from today.

If the petitioner refuses to keep his promise or ill treats Opposite Party No. 2 during her stay in the matrimonial home, it would be open to the Opposite Party No. 2 to prefer an application before the court below for cancellation of bail granted to the petitioner.

With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

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