

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85520 of 2019

Arising Out of PS. Case No.-357 Year-2019 Thana- KANTI THERMAL POWER District-
Muzaffarpur

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Avinash Kumar, aged about 23 years, male, Son of Ratnesh Giri, R/o Village-
Rajua (Bakhri), P.S.- Mehshi, Distt.- West Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Prity, W/o Avinash Kumar, D/o Amarjeet Giri, R/o Village- Devha,
P.S.- Kanti, Distt.- Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Ms. Veena Rani Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 15-06-2020 Heard Mr. Ranjeet Kumar Singh, learned counsel
for the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Kanti P.S. Case No. 357 of 2019,
dated 19.05.2019, instituted for the offences under Sections
341, 323, 379, 504, 498(A) and 34 of the Indian Penal
Code.



On 13.02.2020, when this matter was taken up for the first time, the wife of the petitioner was permitted to be added as opposite party No. 2 and notice was issued to her. But there is no appearance on her behalf today.

It has been submitted on behalf of the petitioner that he is ready and willing to bring back his wife/opposite party No. 2 to her matrimonial home and accord to her all the dignity to which she is entitled.

Considering the aforesaid stand of the petitioner, he, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, West Muzaffarpur in connection with Kanti P.S. Case No. 357 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

In case the petitioner does not keep his promise and takes any overt steps for bringing back his wife/opposite party No. 2 to her matrimonial home, it would be open for



the opposite party No. 2 to approach the Court below and seek cancellation of bail of the petitioner. The Court below, while dealing with such petition, shall assess whether the petitioner is to be blamed for non-restitution of the conjugal rights of the spouses.

With the aforesaid observation, the application stands allowed and disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

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