

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86172 of 2019

Arising Out of PS. Case No.-7 Year-2019 Thana- POTHIYA District- Kishanganj

RAZZAK ALAM S/o Md. Harmuj Ali R/o village- Baksa, P.S.- Pothiya,
District- Kishanganj

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Naintara W/o Razzak Alam R/o village- Baksa, P.S.- Pothiya, District- Kishanganj. At present- D/o Abdul Shahid, R/o village- Islampur, Motihara, P.S. and District- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Sinha
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-01-2020 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Pothiya PS Case NO.7/19 , registered for offences punishable under Sections 323 and 498(A)34 of the Indian Penal Code and Sections 3 and 4 of the D.P.Act..

Case is under Section 498A of the IPC with allegation of demand of Rs.01 lac and one motorcycle and for that ousting her from the house. Petitioner happens to be husband of the informant.

Submission of the learned counsel for the petitioner is that petitioner is residing in Soudi Arabia and the allegation is false and he is ready to keep her with dignity and care at her matrimonial house .

Heard learned A.P.P. and the learned counsel for the informant, who has appeared *suo motu* and submitted that she is ready to reside with the petitioner as she has three children..



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender on 18.02.2020 and on that day O.P.no.2 shall also remain present in the court below and on appearance of both the parties and on filing of the affidavit by the petitioner that he will take her from the court below itself and will keep her with dignity and care, the petitioner shall be released on provisional bail in connection with Pothiya P.S.Case No.07 of 2019 for a period of six months and during that period, both the parties have to appear before the learned court below in the second week of each month so that the learned court below may watch the conduct and matrimonial relationship between the parties and once being satisfied with the conduct of both the parties and their matrimonial relationship especially the conduct of the petitioner, the bail bond of the petitioner shall be confirmed otherwise the learned court below is free to pass any other order or orders as he deems fit and proper including cancelling the bail bond of the petitioner.

With the above direction, this application is disposed of.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

