

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87098 of 2019

Arising Out of PS. Case No.-109 Year-2019 Thana- MASHRAK District- Saran

BIRBAL RAI Son of Ramjanam Rai Resident of Village - Balathara, P.S.-
Basauntpur, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mina Devi Wife of Birbal Rai, D/O - Suresh Rai Resident of Village -
Sonauli, P.S.- Mashrakh, District- Saran (Chapra)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Pandey

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-01-2020 This application, for grant of anticipatory bail, arises
out of Mashrakh Case No. 109 of 2019, disclosing offences under
Sections 341, 323, 307, 379, 498A of the Indian Penal Code and
Section 3/4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the informant and
allegation against him is of subjecting the informant to cruelty in
connection with demand of motorcycle as dowry.

Submission of learned counsel for the petitioner is that
all the allegations are false and concocted and he is still ready to
keep the informant with full honour and dignity, which he has
stated in oath in para -9 of his petition.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and



circumstances of the case, this application is disposed of with direction to the petitioner to surrender in the court below on 03.02.2020 and on affidavit by the petitioner that he is ready to keep the informant and take her, the court below shall release the petitioner on provisional bail and in the meantime, the court below will issue notice to the informant and on her appearance, if informant is ready to reside with the petitioner, the court below shall extend the provisional bail of the petitioner for a further period of six months, and in the meantime, the court below will watch the conduct of the parties by calling the informant and petitioner in the first week of each month for a period of six months and after six months, if the court below is satisfied with the conduct of the parties specially the conduct of the petitioner, he will confirm the provisional bail of the petitioner otherwise, he will pass any order as he deems fit and proper including cancellation of provisional bail of the petitioner.

It is made clear that if on notice, informant does not appear or on appearance, she refuses to live with the petitioner without any cogent reason, in that situation also, the provisional bail of the petitioner will be confirmed.

(Vinod Kumar Sinha, J)

sunilkumar/-

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

