

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5799 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- MIRGANJ District- Purnia

=====

SUNIL KUMAR @ SUNIL SINGH Son of Lala Prasad Singh Resident of
Village- Barkona, P.S.- Mirganj, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Prafull Chandra Thakur, Adv.
For the Opposite Party/s	:	Mr. Mr. Narendra Kumar Singh, APP
For the Informant	:	Mr. Parmeshwar Vishwakarma, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 17-09-2021 Heard Mr. Prafull Chandra Thakur, learned

counsel for the petitioner and Mr. Parmeshwar

Vishwakarma, learned counsel for the informant. The State

is represented by Mr. Narendra Kumar Singh, learned APP

The petitioner, who is the husband of the victim

seeks bail in anticipation of his arrest in connection with

Mirganj P.S. Case No. 47 of 2020 instituted for the offences

under Sections 341, 323, 498(A), 506 and 34 of the Indian

Penal Code and Section 3 /4 of the Dowry Prohibition Act.

Notwithstanding the accusation in the subject

F.I.R., the learned counsel for the petitioner, at the outset,

has submitted that forgetting the past, he is willing to



restore the matrimonial life with his wife (daughter of the informant) provided she is agreeable for the same. Such stand of the petitioner is because of the fact that a child also has been born out of the wedlock. Apart from this, it has been submitted that the victim herself has left the matrimonial home and has got this case lodged against him.

As opposed to the aforesaid contention, the learned counsel for the informant has submitted that the petitioner has always been ill-treating his wife and, therefore, she had to leave her matrimonial home. However, if the petitioner would mend his ways and keep his wife with full dignity and honour to which she is entitled, she would be willing to join him as his wife and stay with him under the same roof.

Regard being had to the aforesaid stand of the parties, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Sub Divisional Judicial Magistrate, Purnea, in connection with Mirganj P.S. Case No. 47 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

However, this bail order is with a caveat that the petitioner shall keep his wife properly in his home and shall not give her any occasion for coming to this Court for cancellation of his anticipatory bail.

If the petitioner reneges on his undertaking/promise of keeping his wife well, it would be open for the wife or the informant of this case who is her father to approach this Court for cancellation of the anticipatory bail granted to him.

(Ashutosh Kumar, J)

sunilkumar/-

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

