

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5593 of 2022

Arising Out of PS. Case No.-133 Year-2021 Thana- SHAMBHUGANJ District- Banka

Rajiv Kumar Pandit @ Rajiv Ranjan @ Rajiv Ranjan Pandit Son Of Kailash Pandit Resident Of Village- Daka Mirjapur, P.S.- Shambhuganj, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari W/O Rajiv Pandit @ Rajiv Ranjan D/O Manoj Pandit Resident Of Village- Daka Mirjapur, P.S.- Jagdishpur, District- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bal Krishna Mishra, Advocate
For the Opposite Party/s : Ms. Anita Kumari Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
CAV ORDER

6 10-08-2022 Heard learned counsel for the petitioner learned A.P.P.
for the State and learned counsel for the informant.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case registered for the offence punishable under Sections 341, 323, 379, 498A, 504, 506 and 34 of the Indian Penal Code and Section $\frac{3}{4}$ of Dowry Prohibition Act.

Earlier on 09.06.2022, provisional bail was granted to the petitioner in presence of counsel of opposite party no. 2 wherein, the counsel of opposite party no. 2 had sought permission to file counter affidavit.



The counter affidavit was filed by O.P. No. 2 on 03.08.2022 in the Court itself. In the counter affidavit, no averment has been made that she is not willing to live with the petitioner. Further, *vide* paragraph 12 of the counter affidavit O.P. No. 2 has taken stand that in case, the petitioner does not take any step for keeping her then in that case, the petitioner shall return gift etc. and pay monthly maintenance.

The petitioner has specifically stated in his bail application *vide* paragraph 11 that he is ready and willing to keep the informant/wife with full dignity and honour.

In the facts and circumstances of the case vide order dated 09.06.2022, the provisional bail was granted. The Learned Lower Court is directed to issue notice both the parties and pass appropriate order in the light of the order dated 09.06.2022 passed by this Court and on the basis of undertaking by the petitioner given vide paragraph 11 of the bail petition that he would keep O.P. No. 2 with full dignity and honour.

The bail application stands disposed of.

(Khatim Reza, J)

Gaurav Kumar/-

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