

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70166 of 2023

Arising Out of PS. Case No.-20 Year-2019 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

Ashwani Kumar Mishra @ Ashwani Mishra S/o Awanish Mishra R/o Village-
Chakiya Bihar Mishra, P.O- Targaon, P.S- Balua, Distt.- Chandauli (U.P).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bandana Tiwari W/o Ashwani Kumar Mishra, D/o Late Ishwar Dayal Tiwari
R/o Village- Chakiya Bihar Mishra, P.O- Targaon, P.S- Balua, Distt.-
Chandauli (U.P). At Present Add.- Resident of Village- Ramgarh, P.S-
Ramgarh, Distt.- Kaimur At Bhabua.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh, Advocate.
For the Opposite Party/s : Mr.Umeshanand Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-11-2023 Heard Mr. Uday Pratap Singh, learned counsel
appearing on behalf of the petitioner and Mr. Umeshanand
Pandit, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 20 of 2019 registered for the offence
punishable under Section 498A of the Indian Penal Code.

3. Allegation is of demand of dowry and subjecting
the complainant to various sorts of torture for non-fulfillment of
the same.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is in outside relationship



with a woman, but still petitioner is ready to keep the complainant who is his legally wedded wife with full dignity and honour and is also ready to fulfill all her physical desire and financial requirement.

5. Considering the nature of allegation made in the F.I.R. as well as the information given before this Court on behalf of the petitioner that the petitioner is ready to keep the complainant with full dignity and honour and will also fulfill her physical as well as financial needs, petitioner is directed to be released on provisional bail for a period of one year on such terms and conditions as the District Court may find it proper, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

6. In case during the aforesaid period no complaint is made on behalf of the informant, the provisional bail of the petitioner shall be confirmed after one one year. In case of failure, the bail bond of the petitioner shall be cancelled.

7. The bail application stands disposed of.

(Purnendu Singh, J)

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