

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10017 of 2019**

Arising Out of PS. Case No.-88 Year-2018 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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JITENDRA YADAV, Son of Ramji Yadav, Resident of Village - Gangaur,
P.S.- Harlakhi, District- Madhubani.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Sulekha Devi, Wife of Jitendra Yadav at present daughter of Rambilash Yadav, resident of village - Mukhiyapatti, P.S.- Phulgama, District Dhanusha (Nepal).

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav
For the Opposite Party/s : Mr.Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-04-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 88 of 2018, lodged for the offences punishable under Sections 323, 380, 498A, 506/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner, who happens to be husband, is of subjecting the opposite party No.2 to cruelty with respect to demand of dowry of Rs.2 lacs and ousted her from his house.

Submission of learned counsel for the petitioner is that he is still ready to keep her with dignity and care as he has stated on oath in paragraph 12 of the petition.

Heard learned APP and learned counsel for the opposite party No.2, who has no objection in residing with the petitioner if she



is allowed to live with dignity and care. It has also been submitted that earlier twice he has taken her twice on the intervention of well wishers but she was assaulted and ousted from the house.

Having heard both sides and in the facts and circumstances, this application is disposed of with a direction to the petitioner to surrender in the court below on 15.5.2019 and on that opposite party No.2 shall remain present in court and on filing of a petition by the petitioner that he is ready to keep her with dignity and care, petitioner shall be released on provisional bail for a period of 12 months by the court below and during that period the court below will call both the parties in court in first week of every month and watch their conduct as well as marital relationship between them and only after satisfaction about the conduct of both the parties, specially the petitioner, his bail bond shall be confirmed, otherwise the court is free to pass any other order(s) as it may deem fit and proper, including cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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