

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12370 of 2019**

Arising Out of PS. Case No.-544 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Jitendra Das @ Jitendra Sah, aged about 26 years, Male, Son of Meghraj Das,
Resident of Village - Ramnagar Madhubanni, P.S- Pupri District- Sitamarhi
... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nitu Devi, aged about 26 years, Female, Wife of Jitendra Das, Daughter of
Faguni Das, Resident of Village Ramnagar Madhubanni, P.S. Pupri, District
Sitamarhi, at Present Resident of Village Bariyarpur, P.S Mejorganj, District
Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Dinesh Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 28-02-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No.C-1/544 of 2018, although wrongly typed in first paragraph of the anticipatory bail petition as Complaint Case No.C-2/544 of 2018, for the offences allegedly committed by the petitioner under Section 498(A), 323, 379, 427, 504 and 506 of the Indian Penal Code as well as under Sections 3 and 4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner is the husband and he is ready to keep his wife with all honour and dignity.

The learned counsel appearing on behalf of the complainant submits that the complainant is also ready to live with



her husband provided her husband keeps her properly. The husband of the complainant has developed illicit relation with a girl and that is why he used to torture her.

Taking into consideration the fact that the husband-petitioner and his wife-complainant are willing to live together, the petitioner is directed to surrender in the court below within four weeks from the date of receipt of this order and on such the learned court below shall enlarge the petitioner on provisional bail for four months on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Sitamarhi in connection with Complaint Case No.C-1/544 of 2018. Thereafter the learned court below shall make all efforts for resolution of the dispute between the husband and wife and if the dispute is resolved and the petitioner keeps his wife properly, the provisional bail granted to the petitioner shall be confirmed. If the petitioner fails to keep his wife properly, the learned court below shall pass order on the provisional bail of the petitioner immediately after lapse of four months in accordance with law.

(Prabhat Kumar Jha, J)

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