

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19536 of 2019**

Arising Out of PS. Case No.-1962 Year-2010 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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JITENDRA RAI, Son of Sri Tuna Rai R/o village- Kataru, P.S.- Vaishali
(Belsar O.P.), District- Vaishali

... .. Petitioner

Versus

1. The State of Bihar
2. Baby Devi, Wife of Jitendra Rai, D/o Ram Prasad Rai R/o village-
Salempur, P.S.- Lalganj, District- Vaishali

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Ms.Namrata Mishra

For the Opposite Party/s : Mr.Amitesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

5 24-07-2019 As per direction of this Court, both the petitioner and
opposite party No.2 are present in Court along with their counsel.

Petitioner seeks bail in anticipation of his arrest in
connection with Complaint Case No. 1962 of 2010, Trial No. 1118 of
2018, instituted for the offences under Section 498A IPC and
Sections 3/4 of Dowry Prohibition Act.

Allegation is that petitioner has subjected his wife to
torture and cruelty with respect to demand of motorcycle and colour
TV and ousted her from the matrimonial house for that demand.

Submission of learned counsel for the petitioner is that
opposite party No.2 has solemnized marriage with another person
which has been denied by learned counsel for opposite party No.2
and opposite party No.2 herself has denied that she has married with



another person.

Heard learned APP also.

Having heard both sides and as it appears that there is no chance of amicable settlement between the parties due to different stand taken by both the parties, this application is disposed of with direction to petitioner to surrender by 8.8.2019 and on surrender he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Trial No. 1118 of 2018, arising out of Complaint Case No. 1962 of 2010, subject to the conditions as laid down under Section 438(2) of Cr.P.C. and further condition is that one of the bailors shall be a local person having sufficient immovable property within the jurisdiction of the court concerned and petitioner has to pay Rs.1,500/- per month to opposite party No.2 towards her maintenance till he got the marriage annulled by a competent court.

(Vinod Kumar Sinha, J)

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