

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.75594 of 2018**

Arising Out of PS. Case No.-175 Year-2018 Thana- JANDAHA District- Vaishali

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Jitendra Mahto, S/o Sri Baidhnath Mahto, Resident of Village-Buchauli, P.S.  
Jandaha, Distt.-Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pranav Kumar Jha  
For the Opposite Party/s : Mr. Arun Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      16-01-2019                      Heard learned counsels for the petitioner, informant  
and State.

The petitioner, being the husband of the informant, is apprehending arrest in a case registered for the offences punishable under Section 498(A) of I.P.C. and Sections 3/4 of D.P. Act.

The prosecution case as per the written report of, Rani Devi submitted to the S.H.O., Jandaha P.S. is to the effect that the marriage between the petitioner and the informant was performed on 30.04.2015. Subsequently, they were blessed with a female child and thereafter, further dowry demand of Rs. 2,00,000/- and a Motorcycle was made and due to non-fulfillment of the same, torture was inflicted upon the informant. It is further alleged that on 14.02.2018, accused persons



attempted to kill the informant but somehow she was managed to escape from her matrimonial house.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant and birth of a female child and he is ready to keep the informant as wife with full dignity and honour. However, statement to that effect has not been made in the petition.

Learned counsel for the informant submits that the father of the informant is a blind person hence, she is helpless. It is further submitted that the informant is ready to resume the conjugal life with the petitioner but she is apprehensive due to his past conduct.

Both sides are ready to appear before the learned Court below on 01.02.2019 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for six months in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bonds of Rs. 10,000/- (ten thousand), with two sureties of the like amount each to the satisfaction of the learned **A.C.J.M.-XIth, Vaishali at Hajipur** in connection with



**Jandaha P.S. Case No.175 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

The provisional bail of the petitioner will be confirmed by the learned Court below in three eventualities:(i) If the matrimonial harmony is substantially restored or, (ii) if the complainant fails to appear before the learned Court below or (iii) if the complainant gets reluctant to reconcile the issue. The provisional bail of the petitioner will not confirm if the learned Court below comes to a conclusion that the petitioner is not really inclined to reconcile the issue and in that event the petitioner will surrender and pray for regular bail.

**(Dinesh Kumar Singh, J)**

Deepak/Rahul/-

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