

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38313 of 2019

Arising Out of PS. Case No.-1419 Year-2017 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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JITENDRA CHOUDHARY S/O Krishna Choudhary Resident of Village-
Mahima Bigha, P.S.- Akbarpur, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Devi Wife of Jitendra Choudhary Resident of Village-
Mahimabigha, P.S.- Akbarpur, District- Nawada, D/O Rajo Choudhary At
present Address R/V- Rajar, P.S.- Sirdalla, District- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-09-2019 Petitioner seeks bail in anticipation of his arrest in
connection with Complaint Case No. 1419 of 2017 in which
cognizance has been taken under Section 498A of the Indian Penal
Code and Section 4 of Dowry Prohibition Act.

Allegation is of demand of dowry of Rs.50,000/- and one
motorcycle and for that petitioner subjected opposite party No.2-wife
to cruelty.

Submission of learned counsel for the petitioner is that the
whole allegation is false and concocted and he is still ready to keep
her with dignity and care and for that he has filed a petition under
Section 9 of Hindu Marriage Act for restitution of conjugal rights.

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



allowed to live with dignity and care.

In view of above facts and circumstances, let petitioner appear in the court below by 16.9.2019, on that day opposite party No.2 shall also remain present in court and on filing an affidavit by the petitioner that he is ready to keep her with dignity and care and will not torture her in future by himself or his family members, the provisional bail granted to him by order dated 27.6.2019 shall be extended for a period of six months and during that period both the parties shall appear in court below in second week of every month, so that the court below shall watch their conduct and marital status and once the court below is satisfied with their conduct and marital status, his bail bonds shall be confirmed, otherwise the court below is free to pass any other order(s) as it may deem fit and proper, including cancellation of bail bonds of the petitioner.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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