

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45338 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- MAHILA P.S. District- Bhojpur

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JITENDRA SHARMA @ JITENDRA VARMA Son of Ramsevak Rawani
Resident of Village- Karmotand near Aamtand More, P.S.- Baliyapur, District-
Dhanbad.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Kajal Devi Daughter of Late Baban Prasad Resident of Village- Shivganj,
P.S.- Ara Nagar, District- Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Mr.Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 21-10-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Mahila P.S. Case No. 17 of 2019 registered for

the offences punishable under Sections 498A/34 of the Indian

Penal Code and Section 3/ 4 of Dowry Prohibition Act.

This case is under Section 498A of the I.P.C.

Petitioner happens to be husband of the informant and there is

allegation of demand of dowry and subjecting the informant to

torture and ousted her from the house.

Submission of the learned counsel for the petitioner

is that the whole allegation is false and concocted and he is

ready to keep her with full dignity and care.

On the other hand, the opposite party No. 2 has



appeared and submitted that she is also ready to reside with the petitioner, if she is allowed to live with full dignity and care.

In view of the above facts and circumstances, let the petitioner, above named, surrender before the Court below on 15.11.2019 and on that day the opposite party no.2 shall also remain present in the Court, and further on filing of an affidavit by the petitioner that he is ready to keep her with full dignity and care and to take her from the Court itself, then he will be released on provisional bail for a period of six months on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned S.D.J.M. Bhojpur at Ara, in connection with Mahila P.S. Case No. 17 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. During that period, the learned Court below shall watch the conduct of both the parties and further directs that both the parties shall appear in the fourth week of each month before the learned Court below. Once the Court below is satisfied with the conduct of both the parties, and their marital relationship, especially the conduct of the petitioner, the Court below either confirm the bail bonds of the petitioner or pass any other orders, which may deem fit and proper, including cancelling the bail



bonds of the petitioner.

It is made clear that if the opposite party no. 2 does not appear on that day before the Court below or not to choose to reside with the petitioner, the petitioner shall be released on bail to the satisfaction of Court below.

(Vinod Kumar Sinha, J)

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