

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46381 of 2019

Arising Out of PS. Case No.-377 Year-2016 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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RAJESH CHAUDHARY, Aged about 29 years, Male, Son of Meghnath Chaudhary, Resident of Village Turkauliya Purvari Tola, Police Station Turkauliya, District East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Devi, Aged about 26 years, Female, Wife of Rajesh Chaudhary, D/o Ram Ekbal Raut, At Present R/o Village Pataura, Lala Tola, P.S. Motihari Town, District East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-07-2019 Heard both sides.

Petitioner apprehends his arrest in Complaint Case No.377 of 2016, registered for the offences allegedly committed by the petitioner under Sections 323 and 498-A of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner was married with the complainant in the year 2012. The complainant was living happily with the petitioner but one very fine morning, the complainant left the house of the petitioner and lodged the present case. The petitioner is still ready to keep his wife.



Taking into consideration the fact that the petitioner is still ready to keep his wife, 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 S.D.J.M., East Champaran in connection with Complaint Case No.377 of 2016, subject to the conditions laid down under Section 438(2) of the Cr.P.C. Thereafter the learned court below shall make efforts for resolution of the dispute between the husband and the wife. If the petitioner keeps his wife with all honour and dignity, the provisional bail granted to the petitioner shall be confirmed. If the petitioner fails to keep his wife without the fault of his wife, the learned court below shall pass order on the provisional bail of the petitioner in accordance with law immediately after lapse of four months.

(Prabhat Kumar Jha, J)

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