

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49145 of 2019

Arising Out of PS. Case No.-313 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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AMARJEET CHOUDHARY @ AMARJEET KUMAR Son of Soni
Choudhary Resident of Village - Rustamganj, P.O. and P.S.- Naubatpur, Distt
- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Neha Devi Wife of Amarjeet Chaoudhary, D/o Lalan Chaudhary Resident of
Village and P.S.- Rupaspur, Distt - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Dhari Singh
For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-10-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Complaint Case No. 313(C) of 2018 registered

for the offences punishable under Sections 498A, 379, 504,

506/34 of the Indian Penal Code and Sections 3/4 of Dowry

Prohibition Act.

Allegation against the petitioner, who happens to be

husband of the complainant, is that he subjected the complainant

to cruelty and ousted her from the house for non-fulfilment of

demand of Rs.1 lac.

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. On the other hand,



learned counsel for opposite party No.2 has submitted that she is ready to reside with the petitioner if she is allowed to live with dignity and care and petitioner has filed a divorce case against her on the ground of adultery. However, learned counsel for the petitioner undertakes that once both the parties started residing together he will withdraw the divorce case.

Heard learned APP also.

In view of above facts and circumstances, this application is disposed of with direction to the petitioner to surrender in the court below on 15.11.2019, on that day opposite party No.2 shall also remain present in the court and on appearance of both the parties and on filing an affidavit by the petitioner that he will keep her with him with dignity and care and he will take her from the court itself and he will withdraw the divorce case filed against opposite party No.2 when they started residing together, the court below shall release the petitioner on provisional bail on the condition that both the parties have to appear in the court in third week of every month, so that the court may watch their conduct and once the court is satisfied with their conduct, specially the petitioner, the court below shall confirmed the bail bonds of the petitioner, otherwise the court is free to pass any other order(s) as it may deem fit and



proper, including cancellation of bail bonds of the petitioner. It is also made clear that once both the parties started residing together, the petitioner shall withdraw the divorce case filed against opposite party No.2.

(Vinod Kumar Sinha, J)

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