

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51262 of 2019

Arising Out of PS. Case No.-114 Year-2019 Thana- BARGAINIA District- Sitamarhi

SUBHASH CHAUDHARY, Aged about 29 years, Male, Son of Jai Kishore Chaudhary, Resident of Village Bashaha, Ward No. 10, P.S. Bajpati, District Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Chandani Kumari, Aged about 25 years, Female, Daughter of Chandeshwar Prasad Chaudhary, Resident of Village Gurukul Road, Bairginiya, Ward No. 6, P.S. Bairginiya, District Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar
For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-08-2019 Heard both sides.

Petitioner apprehends his arrest in Bairginiya P.S. Case No.114 of 2019, registered under Section 498A and other minor sections of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner is the husband of the informant. Petitioner is ready to keep his wife on all undertaking. The informant is well educated lady and she could not pull on well with the petitioner that is why she lodged the case making false and frivolous allegation. The petitioner has earlier filed Matrimonial Case 235 of 2018 for restitution of conjugal rights. The petitioner undertakes that



he would keep his wife with all honour and dignity. On such the learned counsel for the informant submits that the petitioner took his wife from Mahila Helpline but again the petitioner assaulted her and drove her out from the house but even then the informant is ready to live with her husband provided her husband keeps her properly.

Taking into consideration the facts aforesaid and the fact that both the husband and wife are willing to live together but on account of some misunderstanding some dispute arose between the husband and 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 C.J.M., Sitamarhi in connection with Bairginiya P.S. Case No.114 of 2019, 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 wife and 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



properly, the learned court below is directed to pass order in
accordance with law on the provisional bail of the petitioner
immediately after lapse of four months.

(Prabhat Kumar Jha, J)

S.KUMAR/-

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