

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52038 of 2019**

Arising Out of PS. Case No.-2406 Year-2017 Thana- EAST CHAMPARAN COMPLAINT  
District- East Champaran

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MANOJ KUMAR Son of Achchelal Mukhiya Resident of Village-Bisrahiya,  
P.S.-Dhaka, District-East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shobha Devi Wife of Manoj Kumar, Daughter of Lakhraj Mukhiya Resident of Village-Bisrahiya, P.S.-Dhaka, District-East Champaran, at present resident of Village-Harkauna, P.S.-Muffasil Motihari, District-East Champaran.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar No.III  
For the Opposite Party/s : Mr.Yogendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

5      15-11-2019                      Petitioner seeks bail in anticipation of his arrest in connection with Trial No. 2316 of 2019, arising out of Complaint Case No. C-2406 of 2017 registered for the offences punishable under Section 498A of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

As per complaint petition petitioner happens to be husband of the complainant and there is allegation of demand of dowry and for that he subjected her to torture.

Submission of learned counsel for the petitioner is that there is general and omnibus allegation against the petitioner and other accused persons and whole allegation is



false and concocted and he is still ready to keep her with dignity and care but she is not ready to reside with the petitioner.

In this case notice was earlier issued to opposite party No.2 and in spite of service of notice none has appeared on her behalf.

Heard learned APP also.

In view of above facts and circumstances, the provisional bail granted to the petitioner by order dated 21.8.2019 is confirmed subject to the condition that if opposite party No.2 is ready to reside with the petitioner, he has to keep her with dignity and care.

Accordingly, this application is allowed.

**(Vinod Kumar Sinha, J)**

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