

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69684 of 2019

Arising Out of PS. Case No.-53 Year-2019 Thana- MAHILA P.S. District- Kaimur (Bhabua)

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DHANANJAY CHOUBEY Son of Radheyshyam Choubey Resident of
Village - Rohiya, P.S.- Ramgarh, District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Gayatri Devi Wife of Dhananjay Choubey Resident of Village - Rohiya,
P.S.- Ramgarh, District- Kaimur (Bhabua)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Bansh Dubey

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-01-2020 Petitioner seeks bail in anticipation of his arrest in connection with Mahila (Bhabua) P. S. Case No. 53 of 2019 registered for the offences punishable under Sections 323, 498A/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Petitioner happens to be husband of the informant and there is allegation against him that he demanded Rs.1 lac and motorcycle from the informant and for that he assaulted her and tortured her.

Submission of learned counsel for the petitioner is that 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 opposed the prayer for anticipatory bail of the petitioner stating that she has received several injuries and matter was compromised and thereafter against she was subjected to assault by the petitioner. However, in spite of that she is ready to reside with the petitioner if she is allowed to live with dignity and care and not subjected her to cruelty and assault.

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 27.1.2020, on that day opposite party No.2 shall also remain present in the court and on filing of an affidavit by the petitioner that he is ready to take her from the court itself and keep her with dignity and care, he shall be released on provisional bail by the court below for a period of ten months and during that period both the parties have to appear in the court below in third week of each month, so that the court may watch their conduct and marital relationship between the parties and once the court is satisfied with the conduct of both the parties, specially the petitioner, bail bonds of the petitioner shall be confirmed, 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.

(Vinod Kumar Sinha, J)

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