

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.13930 of 2022**

Arising Out of PS. Case No.-589 Year-2019 Thana- MADHUBANI COMPLAINT CASE  
District- Madhubani

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MITHILESH RAY Son of Dev Sundar Rai Resident of Village - karmauli,  
P.S.- Khajauli, Dist. - Madhubani. ... .. Petitioner/s

Versus

1. The State of Bihar
2. kavita Devi Wife of Mithilesh Rai, D/o Late Ram Sevak Rai Resident of  
Village - Murhaddi Wari Tola, P.S.- Babubarhi, Dist. - Madhubani.  
... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Shailendra Kumar Jha  
For the Opposite Party/s : Mr.Jai Narain Thakur

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

5      18-01-2023                      The learned counsel for the petitioner is directed to  
remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as the  
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with  
C.R. Case No. 589 of 2019 registered for the offences under  
sections 341, 342, 323, 504, 506, 498(A)/34 of the Indian Penal  
Code

As per allegation, the complainant is wife of the  
petitioner. Her marriage was solemnized with the petitioner 8-9  
years before filing of the complaint petition. The accused persons,  
as per allegation, subjected her to cruelty for non-fulfillment of  
dowry demand and lastly they ousted her from her matrimonial  
house.



The learned counsel for the petitioner has submitted that the petitioner is innocent and wanted to keep the victim with full dignity and honour, but she is not ready to reside with him. Now she has solemnized her marriage and is residing in Nepal with her second husband and she has also a child from her second husband.

The notice was sent to the complainant. Her brother received it, but none appeared on her behalf and the notice sent through registered post was refused to be received by her.

Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M, Madhubani in connection with C.R. Case No. 589 of 2019, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

**(Nawneet Kumar Pandey, J)**

Mahesh/-

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