

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78873 of 2024

Arising Out of PS. Case No.-1417 Year-2023 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Jitu Choupal @ Jitu Mandal @ Jitu Kumar @ Jitu Kumar Mandal Son of
Rambriksh Choupal Resident Of Village -Bathne, Ps -Pandaul, Dist-
Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Kumari Daughter of Sri Ram Bharos Chaupal village- Shahjadpur,
Ps- Sadar (OP sonki), Dist- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Jha, Adv
For the State : Mr.Nitya Nand Tiwary, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 15-04-2025 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends his arrest in connection with

Complaint Case No. 1417 of 2023 registered for the offences

punishable under Sections 341, 323, 307, 324, 379, 498A/34 of

the Indian Penal Code and section 3/4 of the D.P. Act.

3. By an earlier order dated 02.12.2024, notices were

issued to OP. No. 2 and despite the same being validly served

by way of filing jointness affidavit in the matter, the OP.No. 2

has still not appeared in the present proceeding.

4. The case arises out of the complaint filed by OP.

No. 2 wherein she has made an allegation of demand of Rs. 5



lacs as dowry and there is further allegation of sprinkling kerosene oil in a bid to do her to death. The petitioner is husband of OP. No. 2.

5. Learned counsel for the petitioner submits that allegations made in the complaint are absolutely false. On the contrary the petitioner has always been ready to keep the opposite party no. 2 with due dignity and honour as stated in paragraph -11 of the petition. The petitioner also shows his bonafide by filing a case under section 9 of the Hindu Marriage Act for restitution of conjugal rights as has been stated in Paragraph-9 of the petition. It would also appear from perusal of the bail rejection order passed by the learned court below that the complainant has not shown her inclination to explore the possibility of mediation evenafter being persuaded by the court.

6. Learned APP for state opposes the bail application.

7. Considering the above mentioned facts and circumstances, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand)with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st



class, Darbhanga in Complaint Case No. 1417 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

N.K/-

(Soni Shrivastava, J)

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