

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31093 of 2015

Arising Out of PS.Case No. -714 Year- 2014 Thana -AHIAPUR District- MUZAFFARPUR

Radhey Shyam Choudhary Son of Devi Chandra Choudhary resident of
village - Atrar, P.O. Atrar, P.S. Aurai, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Pratima Choudhary @ Pujha Kumar Daughter of Suresh Prasad Choudhary resident of Mohalla - Prabhatnagar, Najirpur, P.S. Ahiyapur, District - Muzaffarpur

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 18-08-2015 Heard learned counsels for the petitioner,
informant and learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 498-A, 406, 420 and 313 of the Indian Penal Code.

The allegation against the petitioner and others is to have demanded dowry and due to non-fulfillment of demand of dowry, the informant has been tortured and abortion has also been done at their instance.

It is submitted that the case has been lodged due to wrong impression. The petitioner has taken his wife to the doctor and abortion was done due to some medical complication. The doctor has not found any kind of injury on the foetus or other parts of the body of the informant. The petitioner is ready to lead conjugal life with the informant with dignity. He has filed a petition under Section 9 of the Hindu Marriage Act for

restitution of conjugal life.

Learned counsel for the informant submits that the informant is ready to lead conjugal life with the petitioner provided she should not be tortured and she should be allowed to live with dignity.

Considering the facts and circumstances of this case, the above-named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur, in Ahiyapur P.S. Case No. 714 of 2014 with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence on two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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