

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11691 of 2015

Arising Out of PS.Case No. -215 Year- 2014 Thana -JANDAHA District- VAISHALI(HAJIPUR)

1. Sambhu Chaudhary S/o Sonelal Chaudhary Resident of Village Arniya,
P.S. Jandaha, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Thakur

For the Opposite Party/s : Mr. Rina Sinha(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 27-04-2015 Counter affidavit is filed on behalf of the informant.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State as also heard
learned counsel, appearing for the informant.

The petitioner apprehends his arrest in connection
with Jandaha P.S. Case No. 215 of 2014 registered under Sections-
498(A)/494 of the Indian Penal Code.

The marriage of the informant was solemnized with
the petitioner on 25-05-1997 and admittedly, after marriage, she
gave birth to four children. The present case was lodged on 02-09-
2014 and the informant has, specifically, stated in the written
report that she was ousted from her matrimonial home one month
prior to institution of the present case. Furthermore, the informant

has stated in her written report that the petitioner has solemnized second marriage with another lady.

Learned counsel, appearing for the informant drew my attention towards Annexures-B & B/1 and submits that the informant was brutally assaulted by the petitioner. He also drew my attention towards Annexure-C to the counter affidavit and submits that the daughter of the petitioner has given a written report, mentioning the fact of assault by the petitioner to the informant but it is surprising enough that the daughter of the petitioner disclosed that her mother was assaulted by the petitioner on 30-08-2014 whereas; the doctor has mentioned that he had examined the informant on 28-08-2014 and apart from this, the informant says that she was ousted from her matrimonial home one month's prior to the institution of the present case i.e. 02-08-2014. It appears to me that the entire dispute arose between the parties on account of second marriage of the petitioner.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioner named above, in the event of his arrest or surrender within four weeks from the date of receipt/production of copy of the order in the court below, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection

with Jandaha P.S. Case No. 215 of 2014 to the satisfaction of Sri Ravi Kumar, learned Judicial Magistrate-Ist Class, Vaishali at Hajipur subject to the conditions as laid down u/S 438(2) of the Cr. P.C.

A.K.V./-

(Hemant Kumar Srivastava, J)

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