

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3692 of 2015

Arising Out of PS.Case No. -68 Year- 2013 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Satya Narayan Choudhary S/o Late Munsu Choudhary, R/o Ramdihara,
P.S. Amjhor, District- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ Manu, Advocate.

For the Opposite Party/s : Mr. Tarun Pd.Mandal(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 28-01-2015 Learned counsel for the petitioner is permitted to make
necessary corrections in para-1 of the application.

Heard both sides.

The petitioner apprehends his arrest in Complaint Case No. 68
of 2013, registered for the offences punishable under Section 498A and other
Sections of the Indian Penal Code.

The complainant alleged that she was married to the petitioner
in the year 1974. She also gave birth to a female child in the year 2001, but
her husband solemnized second marriage in the year 2007 and thereafter
subjected her to physical and mental torture and drove her out from the house.

Learned counsel for the petitioner submits that the petitioner
solemnized second marriage with the consent of his first wife. The petitioner
filed suit for restitution for conjugal rights in the year 2010 i.e. Matrimonial
Case No. 164 of 2010 and after three years of the suit the first wife filed this

complaint. It is further submitted that the petitioner is ready to pay Rs. 1000/- per month to his wife as maintenance.

Having considered the facts that after 36 years of marriage the complainant filed this complaint case making allegation of demand of dowry and torture and the petitioner is still ready to keep her and also ready to give her maintenance, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate, Dehri-on-Sone at Rohtas in connection with Complaint Case No. 68 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. The petitioner shall pay Rs. 1000/- per month to his wife as has been undertaken by himself.

(Prabhat Kumar Jha, J.)

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