

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31851 of 2015

Arising Out of PS.Case No. -898 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Manoj Kumar Choudhary, S/o- Aganu Choudhary, resident of MOhalla –
Sabazpura, P.S. Phulwari Sharif, District – Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Joshi @ Nilu Kumari, D/o- Yamuna Choudhary, Village Sarai (near Baba
Bhutnath Mandir) P.S. Munger District – Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh

For the Opposite Party/s : Mr. Satyendra Prasad (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 09-12-2015 Heard learned counsel for the petitioner and learned
counsel for the Opposite Party No. 2.

The petitioner apprehends his arrest in connection with
Complaint Case No. 898(C) of 2014 registered for the offences
punishable under Section 498(A) the Indian Penal Code.

Today the petitioner and the opposite party no. 2 are
present in Chambers.

After much deliberations and interactions, it has
transpired that both the petitioner and the opposite party no. 2
agree to live together, ignoring their differences, which have
occurred in the past. Petitioner himself submits that he is willing
to make a fresh start and live with his wife and to restore a marital
harmony and that, there shall be no recurrence of untoward

incident so as to prejudice the petitioner in any manner.

The opposite party no. 2 also agrees to go and live with the petitioner at Mumbai for which the petitioner is willing to make a proper arrangement within a week from today.

However, it is made clear that that the correspondence course which is being pursued by the opposite party no. 2, shall be facilitated by the petitioner, so that she can complete her course and obtain her graduation degree. He undertakes that he shall not create any hindrance towards the intention of opposite party no. 2 in attending her educational goals. Similarly, opposite party no. 2 submits that she will render all possible assistance and cooperation to the petitioner, so that he may be able to function and live a normal life.

In view of the aforesaid facts and circumstances of the case and the positive attitude of the parties, let the petitioner above named, 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, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Danapur, Patna in connection with Complaint Case No. 898 (C) of 2014, subject to the conditions as

laid down under Section 438(2) of the Cr.P.C.

However, it is made clear that if, at all, there shall be any recurrence of untoward incident, leading to mental or physical torture to the opposite party no. 2, it shall be open for her to move this Court for modification of the order or approach the Court below for any action in accordance with law including cancellation of the bail.

(Anjana Mishra, J)

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