

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30723 of 2015

Arising Out of PS.Case No. -332 Year- 2014 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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Yogendra Choudhary

.... Petitioner/s

Versus

1. The State of Bihar

2. Ramji Choudhary Son of Late Ram Khelawan Choudhary

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey

For the Opposite Party/s : Mr. T.P.Mandal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 03-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the daughter of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 341, 323, 379, 498A, 494/34 of the Indian Penal Code.

The basic accusation is of torture.

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep the daughter of the complainant as wife with full dignity and honour. A statement to that effect has been made in para 7 of the petition which reads as follows:-

"7. That the petitioner is ready to keep her wife with full dignity and honour."

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Complaint Case No.332 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the daughter of the complainant for her appearance. On her appearance, the petitioner will take the daughter of the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the daughter of the complainant fails to appear before the learned court below or (iii) if the daughter of the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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