

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1581 of 2015**

Arising Out of PS.Case No. -155 Year- 2014 Thana -BIHIYA District- BHOJPUR

1. Sanjay Chaudhary Son of Kishnori Lal Chaudhary resident of village - Hemwan Chanda, Police Station - Krishna, Baraham, District - Buxar

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate.

For the Opposite Party/s : Mr. A.K.Choudhary(App)

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

5      10-02-2015      Heard learned counsel for the petitioner, State and for the informant.

The petitioner apprehends his arrest in Bihiya P.S. Case No. 155 of 2014, registered for the offences punishable under Section 498A and other Sections of the Indian Penal Code.

The informant filed the complaint case on the basis of which the present FIR was lodged. She made allegation of demand of dowry and torture against the petitioner. She further alleged that her husband and other in-laws subjected her to physical and mental torture and demanded Rs. 10 Lakhs for purchasing flat in Mumbai.

Learned counsel for the petitioner submits that the marriage was solemnized in the year 2002. After 12 years of

marriage the wife has filed this case making allegations. The petitioner has got two children and he is still ready to keep his wife.

The petitioner is present in Court and the wife is also present. The wife is requested to accompany her husband but she apprehends danger of her life. It appears that wife does not want to go along with her husband.

Considering the facts aforesaid and the fact that after 12 years of marriage, the informant filed this case making allegation of demand of dowry and torture and the wife is still not willing to live with her husband, 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 Chief Judicial Magistrate, Bhojpur, Ara in connection with Bihiya P.S. Case No. 155 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Prabhat Kumar Jha, J.)**

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