

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36772 of 2014

Arising Out of PS.Case No. -114 Year- 2012 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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Ajay Kumar Choudhary Son of Satya Narayan Choudhary resident of
Mohalla- Balbhadrapur, Near N.P. Mishra Chowk, P.S.- Laheriasarai,
District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar
2. Anil Kumar Jha Son of Late Awadh Kishore Jha resident of Mohalla-
Banglagadh, Police Station- Laheriasarai, District - Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Arun Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

03/ 06-04-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the daughter
of the informant is apprehending his arrest in a case registered for
the offences punishable under Sections 498A/34 of the Indian
Penal Code and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfillment of the dowry demand.

This matter was referred to the Mediation vide
order dated 09.02.2015. The report of the Mediator at Flag 'B'
reflects that the mediation has failed.



It is submitted by learned counsel for the petitioner that earlier also informant filed Complaint Case No. 546 of 2012 making similar accusation particularly with regard to incident of assault on 12.02.2012 wherein the petitioner has been granted bail by learned Sessions Judge, Darbhanga vide A.B.P. No. 185 of 2013 since the reconciliation failed and the petitioner filed Matrimonial Suit No. 45 of 2013 for divorce. Though the learned court below directed the petitioner to make payment of Rs.1,000/- to the informant's daughter and the petitioner is making payment of the said amount.

It is submitted by learned counsel for the informant that subsequent to the above bail order the daughter of the informant again went to matrimonial house but she was assaulted and in the present FIR the date of occurrence is in between 27.01.2008 to 12.02.2012 and considering the date of incident of 12.02.2012 the bail was granted to the petitioner earlier in Complaint Case No. 546 of 2012.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount

each to the satisfaction of learned Chief Judicial Magistrate,
Darbhanga in connection with L.N.M.U. Case No. 114 of 2012,
subject to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Dinesh Kumar Singh, J)

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