

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6677 of 2015

Arising Out of PS.Case No. -3426 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

1. Sanjay Kumar Son of Chhedi Lal Prasad Chaurasia, resident of Mohalla-Shanti Nagar, Behind Durgasthan, Police Station and District- Katihar

.... Petitioner/s

Versus

1. The State of Bihar
2. Khusboo Chaurasia, wife of Sanjay Kumar, daughter of Dinesh Prasad Chourasia, residing at Pokharbasti, Ward No. 15, Police Station-Forbesganj, District- Araria

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Prakash
For the Opposite Party/s Mr. Anil Pd.Singh(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 19.02.2015 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner happens to be husband of the complainant and allegation against him is that he used to torture the complainant due to non-fulfillment of dowry demand.

The contention on behalf of the petitioner is that petitioner is still ready to keep the complainant with full honour and dignity but complainant herself does not want to lead her conjugal life with the petitioner. To fortify the above stated contention, he drew my attention towards para 9 of the petition and submitted that Matrimonial suit no. 2A/2014 was filed by the petitioner for restitution of his conjugal rights and the aforesaid suit was decreed but in spite of that the complainant did not come to house of the petitioner

and, thereafter, the complainant filed present case as well as maintenance case against the petitioner. It is further contended by him that in maintenance case, Principal Judge tried to patch up the dispute of the parties but, again, complainant refused to lead her conjugal life with the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sub divisional Judicial Magistrate, Araria in Complaint Case No. 3426/2013 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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