

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 17120 of 2015

Arising Out of PS.Case No. -175 Year- 2014 Thana -DARBHANGA COMPLAINT CASE District-DARBHANGA

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Pankaj Kumar Choudhary, son of Ashok Kumar Choudhary, resident of village - Makhanpur, Police Station - Ashok Paper Mill, District - Darbhanga

.... Petitioner

Versus

1. The State of Bihar
2. Aarti Kumari, wife of Pankaj Kumar Choudhary, D/o Jay Chandra Mishra, resident of village - Thalwar, Police Station - Ashok Paper Mill, District - Darbhanga

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Jitendra Kumar Singh-I(App)

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

2 23-07-2015

Heard.

The petitioner who happens to be the husband of the complainant seeks anticipatory bail in Complaint Case No. 175 of 2014 (Trial No. 3486 of 2014) under Section 498 of the Indian Penal Code.

Allegations are that for not getting the motorcycle from the parents of his wife and in spite of the wife having given born of a female child, she was time and again ill-treated and tortured by not only the present petitioner but others named in the complaint petition.

The plea of the petitioner is that he was a student prosecuting his Chartered Accountancy Course in Delhi and he did

not have anything to do with the allegations.

Let the above named petitioner surrender and pray for regular bail before SDJM, Darbhanga in connection with the above noted case. The SDJM shall admit the petitioner to provisional bail and shall issue by the same order a notice to the complainant to be served through the Officer-in-Charge of the police station within whose jurisdiction she was residing. The learned SDJM at the same time draw an order in the light of the present order of the court and shall get it seen by the counsel representing the complainant and shall note it down in his order that the learned counsel shall inform the complainant for her presence on the date fixed for her appearance. The petitioner shall appear on that day on which the complainant could be noticed to appear. The learned SDJM shall sit with the spouses and talk with them jointly as also severally in his Chambers and then tried to find out as to what was the reason behind the strained relationship and the estrangement of the spouses so that he could be attempting to iron out the differences and impress upon the parties to rejoin the matrimonial life. In case, the petitioner was putting up in difficult unreasonable conditions for taking the lady back to her matrimonial house, the petitioner's bond shall be cancelled and he shall be remanded to custody. Likewise, if the lady was placing

unreasonable conditions for joining the husband, then the bond of the petitioner shall be confirmed permanently.

With the above direction, this petition stands disposed of.

(Dharnidhar Jha, J)

B.Kr./-

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