

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33361 of 2015

Arising Out of PS.Case No. -217 Year- 2015 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Deepu Chaudhary @ Deepu Kumar Son of B.C. Choudhary Resdent of
Village - Basopatti Chand Sarai, P.S. Jandaha, Dist.- Vaishali

.... Petitioner/s

Versus

1. State of Bihar
2. Sanju Devi Daughter of Thagan Rai Resdent of Village - Badiha Turki,
P.S. Patepur, Dist.-Vaishali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha
For the Opposite Party/s : Mr. Pronoti Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 12-08-2015 Heard learned counsels for the petitioner and

the State.

The petitioner is apprehending arrest in a
complaint case wherein process has been directed to be
issued after cognizance being taken for the offences
punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

The petitioner denies the factum of marriage
with the complainant.

It is submitted by the learned counsel for the
complainant that the complainant claims to have married with



the petitioner and the petitioner gave undertaking before the learned Sessions Judge during hearing of anticipatory bail application that he is ready to keep the complainant as wife with full dignity and honour though statement has been made in paragraph 10 of the petition that the said undertaking recorded in the impugned order dated 27.5.2015 is an error of record.

Considering the fact that the factum of marriage is being disputed by the petitioner, let the learned court below conduct an enquiry in this regard within a period of six months.

In the meantime, let the above named petitioner be released on provisional anticipatory bail for six months 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Vaishali at Hajipur in connection with Complaint Case No. C 1-217 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

If on enquiry the learned court below comes

to a conclusion that the petitioner has not performed marriage with the complainant, the provisional bail will be confirmed but in case the conclusion is otherwise, the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Anil/-

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