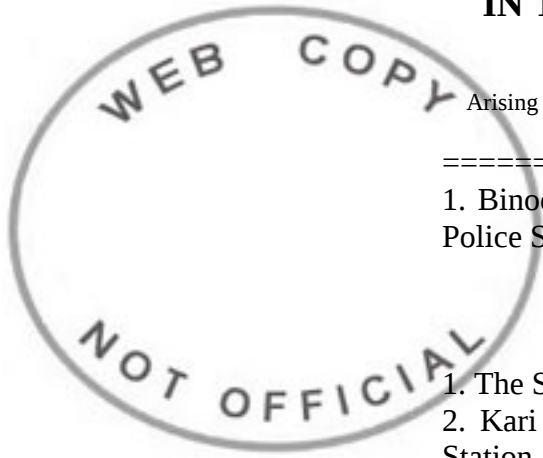




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41947 of 2014

Arising Out of PS.Case No. -443 Year- 2014 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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1. Binod Choudhary S/o Charitar Choudhary Resident of Village- Gorma,
Police Station- Silaw, District- Nalanda.

.... Petitioner

Versus

1. The State of Bihar
2. Kari Devi D/o Basho Choudhary Resident of Village- Rupee, Police
Station- Kauwa Kol, District- Nawada.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary

For the Opposite Party/s : Mr. Dr. Indihar Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 21-04-2015 Heard the parties.

The petitioner is husband and facing accusations punishable under Section 498 A IPC and ¾ of the Dowry Prohibition Act.

The narration in the complaint gives out a story of ill-treatment on numerous occasions by the petitioner and other inmates of the matrimonial home. Although it is not stated in the application but in course of submission it has been emphatically argued that the petitioner is ready and willing to resolve the matrimonial discord and to take back the

complainant to the matrimonial home. It is alleged that marriage was solemnized in the year 2004 whereas the complaint has been lodged in the year 2014. The allegation of having married second time in the complaint is wrong.

Taking into account the aforesaid submission, this Court disposes of the application by the following order:-

Let the petitioner, above named, surrender within a period of two weeks from today before the learned Court below. In that event learned Court below shall release the petitioner on provisionally for a period of five weeks therefrom on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction Sub Divisional Judicial Magistrate, Nawada in connection with complaint case no. 443 of 2014, subject to the following condition:-

- (i) One of the bailors shall be the father/mother/full brother of the petitioner.

It will be open to the petitioner to make conciliatory efforts utilizing the time and depending on those efforts he will appear before the Court below before expiry of the period of provisional bail and seek for bail. Depending on

the result of the conciliation to be made by the petitioner the
learned Court below shall either confirm or reject the same.

(Kishore Kumar Mandal, J)

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