

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31696 of 2016

Arising Out of PS.Case No. -1280 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Sunil Chaudhary, son of late Sohrai Chaudhary, resident of village Lokan
Bigha, Babhandiha, P.S. Obra, District Aurangabad

.... Petitioner

Versus

1. The State of Bihar
2. Savitri Devi, wife of Sunil Chaudhary, daughter of Lally Chaudhary,
resident of Lokan Bigha, Babhandiha, P.S. Obra, District Aurangabad,
presently resident at Tilauthu, P.S. Tilauthu, District Rohtas

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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

ORAL ORDER

2 28-07-2016

Heard learned counsel for the parties.

The petitioner being the husband of the complainant is
apprehending his 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 for non-fulfillment of
dowry demands.

It is submitted by the learned counsel for the petitioner
that the petitioner admits his marriage with the complainant and he
is ready to keep the complainant with full dignity and honour.
Statement to that effect has been made in paragraph 8 of the
petition.



It appears from the impugned order that it was alleged by the complainant that the petitioner performed second marriage but no such denial has been mentioned in the present petition. The impugned order further reflects that the complainant was ready to live with the petitioner but the petitioner kept mum on this. It is further submitted by the learned counsel for the petitioner that the petitioner is still ready to keep the complainant with full dignity and honour.

Considering the present stand of the petitioner, let the abovenamed petitioner be released on provisional anticipatory bail for one year, in the event of his 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 the Chief Judicial Magistrate, Rohtas in Complaint Case No. 1280/2014, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. On her appearance, the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by

the learned court below in three eventualities: (i) if the matrimonial harmony is substantially restored, (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Surendra/-

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