

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4473 of 2015

Arising Out of PS.Case No. -21 Year- 2014 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

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Khagesh Choubey @ Rinku Chaubey S/O Late Ram Yash Chaubey
Resident of vill-Basahi Baswan,P.S-Kundra,Distt.-Kaimur

.... Petitioner/s

Versus

1. The State of Bihar

2. Vinita Kumari W/O Khatgesh Chaubey@Rinku Chaubey,D/O
Brameshwar Tiwary Resident of vill-Dehri Dhantoliya,Ward no.26,P.S-
Dehri,Distt.-Rohtas

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Lallan Kumar(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

9 13-01-2016 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner apprehends his arrest in connection with Dehri (Mahila) P.S. Case No. 21 of 2014 registered for the offences punishable under Sections 323, 341, 504, 406 and 498(A)/34 of the Indian Penal Code.

Earlier notice was sent to the opposite party which was served upon her through her counsel appearing in the court below. Diary of the present case was called for, which has since been received.

Learned counsel for the petitioner submits



that whatever being the nature of allegations and history of mental torture, petitioner is ready and willing to keep his wife with full honour and dignity and shall endeavour his level best to create a cordial family atmosphere after bringing back to his wife and her child in her matrimonial home. He further undertakes that there shall be no recurrence of any act of mental torture so as to prejudice the opposite party no. 2 in any manner.

Considering the bona fide offer made by the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Dehri Rohtas in connection with Dehri (Mahila) P.S. Case No. 21 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, it is made clear that if, at all, there shall be any recurrence of untoward incident, leading to mental or physical torture to the opposite party no. 2 and her child, it shall be open for her to move this Court for modification of the order or approach the Court below for any action in accordance with law including cancellation of the bail.

(Anjana Mishra, J)

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