

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38939 of 2017

Arising Out of PS.Case No. -217 Year- 2015 Thana -GAYA COMPLAINT CASE District- GAYA

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Mukesh Chaudhary, son of Late Nageshwar Chaudhary, R/o Villaeg- Bind
Mohalla- P.S.- Chatra, District- Chatra.

.... Petitioner

Versus

1. The State of Bihar.
2. Radha Devi, W/o Mukesh Chaudhary D/o Vinod Chaudhary, R/o
Village- Lipganj Chatti, P.S.- Sherghati, District- Gaya.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-08-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Complaint Case No. 217 of 2015 lodged for the offences
punishable under Sections 498A of the Indian Penal Code and 3/4
of Dowry Prohibition Act.

Allegation against the petitioner is of demand of
dowry.

It has been submitted on behalf of the petitioner that
petitioner is still ready to keep his wife and he has filed a petition
for restitution of conjugal life and she has not appeared.

Heard learned APP also.

Having heard both sides and from perusal of the



record it appears that earlier petitioner was granted provisional bail and during that period he has assaulted the complainant causing some injuries to her and the complainant was called by the court below also, which is evident from the impugned order and the complainant was not ready to live with the petitioner as he has solemnized a second marriage also, in such view of the matter, learned trial court is directed to expedite the trial and try to conclude it within six months.

In the meantime, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Sherghati at Gaya, in connection with Complaint Case No. 217 of 2015, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to



appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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