

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47229 of 2017

Arising Out of PS.Case No. -719 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Rajendra Kumar Choudhary, son of late Hajari Choudhary, R/o Village-
Damariya, P.S.- Gardanibagh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Baby Devi (wife of Rajendra Kumar Choudhary), D/o Raj Kumar
Choudhary @ Ram Pukar Choudhary, R/o Village- Ganpura, P.S.-
Phulwarisharif, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Roy, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 21-12-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Complaint Case**
No.719-C of 2012 instituted for the offence under Section(s)
498-A Indian Penal Code and Section 4 of the Dowry Prohibition
Act.

Notice was issued to the Opposite Party No.2, which
has validly been served, but none appears on behalf of the
Opposite Party No.2.

Counsel for the petitioner has submitted that he is
always ready to keep the wife, but she is not ready to live with
him.

The Sessions Judge has mentioned in the impugned
order that both have appeared before him. Petitioner is ready to



keep the wife but the wife has refused to live with him since he is addict of narcotic substance.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Complaint Case No.719-C of 2012**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Sub-Divisional Judicial Magistrate, Patna**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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