

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2626 of 2019

Arising Out of PS. Case No.-1416 Year-2017 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Sonu Choudhary aged about 30 years, Gender-Male, Son of Late Subhash Choudhary, Resident of Mohalla-Durgapur Gaushala,P.S.Nagar Katihar,Dist-Katihar

... .. Petitioner/s

Versus

1. State Of Bihar and Anr BIHAR
2. Chandan Devi age about 22 years, female, D/o Sri Satya Narayan Choudhary wife of Sonu Chudhary, Village-Gopalpur,P.S. Amdabad,Distt.-Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir
For the Opposite Party/s : Mr. Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-01-2019 Heard learned Counsel for the petitioner and learned
APP for the State.

The petitioner, being the husband of the complainant is apprehending arrest in a complaint case, wherein process has been directed to be issued after cognizance being taken for the offence punishable under Section 498(A) of the Indian Penal Code.

The prosecution case as per the complaint petition is that the complainant was married with the petitioner on 14.04.2012 and subsequently, they were blessed with a son. Subsequently, there was further dowry demand of Rs.1,00,000/- and for non-fulfillment of the same, torture was inflicted upon her. On



06.03.2015 all the accused persons including the petitioner brutally assaulted the complainant.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and birth of a male child. It is further submitted that petitioner is ready to keep the complainant as wife with full dignity and honour, statement to that effect is made in paragraph no. 7 of the petition which reads as follows:-

“7. That it is stated that the petitioner is always ready to keep the complainant with full dignity and honour.”

It is further submitted that similar was the stand of the petitioner before the learned Court below which gets reflected from the impugned order.

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail for six months, in the event of arrest or surrender before the learned Court below within a period of 12 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 learned **JM-Ist Class, Katihar** in connection with **C.A. Case No. 1416 of 2017**, 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 learned Court below in three eventualities (I) if the matrimonial harmony is substantially restored, or (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)

Deepak/Rahul/-

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