

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7415 of 2019

Arising Out of PS. Case No.-317 Year-2018 Thana- KISHANGANJ District- Kishanganj

PRASHANT KUMAR CHAUDHARY, S/o Madan Lal Choudhary, Resident
of Colony No. 2, near K.B. Jha College, P.S.- Katihar, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 26.10.2018 in a case registered for the offence punishable under Sections 498A, 406, 341, 323, 506/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case got initiated on the basis of written report submitted by Shivika Kumari to the Station House Officer, Kishanganj Police Station is to the effect the informant was married with the petitioner on 13.02.2013, but subsequent to the marriage, all her jewellery and other articles were being taken by her mother-in-law and the sister-in-law. Subsequently she was blessed with a female child. But thereafter, the accused persons due to non-fulfillment of



further dowry demand of Rupees Five Lac, tortured and assaulted the informant.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and birth of a female child. Though earlier the informant filed a complaint case, which was withdrawn since the issue got reconciled between the parties. The petitioner was granted provisional anticipatory bail in the present case, but subsequently, the provisional bail of the petitioner was cancelled considering the false allegation of the informant to the effect that the petitioner failed to keep her with dignity and honour. It is further submitted that the issue could not be reconciled due to apathetic attitude of the informant. The petitioner has also filed Matrimonial Suit No.290 of 2016 for restitution of conjugal life. For a statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the accusation is specific against the petitioner.

Considering the nature of accusation and the investigation being concluded, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having



any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Kishanganj in connection with Kishanganj P.S. Case No. 317 of 2018.

(Dinesh Kumar Singh, J)

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