

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28395 of 2019

Arising Out of PS. Case No.-16 Year-2015 Thana- CHIRAIYA District- East Champaran

ANIL KUMAR CHAUDHARY S/o Sri Bacha Chaudhary R/o village-
Kodarkatta, P.S.- Motihari, District- Muzaffarpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Kumari Sima Devi D/o Shivjee Prasad R/o village- Sirauna, P.S.-
Shikarganj, District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 15-07-2019 Heard learned counsel for the petitioner, counsel for the
informant and the State.

The petitioner seeks bail in **Chiraiya (Shikarganj)**
P.S. Case No. 16 of 2015, instituted for the offence under Section(s)
498A, 380 of Indian Penal Code, 1860, Sections 3/4 of Dowry
Prohibition Act. The instant case was sent to Police Station under
Section 156(3) Cr. P.C.

Counsel for the petitioner submits that informant was
married with Anil Kumar Choudhary (petitioner). He has filed
certified copy of Judgment passed by the Principal Judge, Family,
Court, Motihari, in Maintainace case No. 29 of 2009 wherein it is
mentioned that the case has been compromised between the parties
and they have decided to live separately. She does not want to



proceed with the case. In the entire case the informant has demanded maintenance from her husband Ashok Kumar Choudhary. Counsel for the petitioner further submits that the instant case has been filed only to harass the petitioner. Opposite party No. 2 (informant) has performed another marriage with petitioner.

Counsel for the opposite party No. 2 is present. He did not deny the statement that opposite party No. 2 has performed another marriage with petitioner.

Petitioner is in custody since 27.2.2019 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, 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 **Sub Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran**, in connection with **Chiraiya (Shikarganj) P.S. Case No. 16 of 2015** subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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