

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30420 of 2019

Arising Out of PS. Case No.-5 Year-2017 Thana- MAHILA P.S. District- Bhagalpur

MANASH CHOUDHARY @ MANASH KUMAR Son of Late Dhanusdhari
Choudhary Resident of Village - Rampur, P.S.- Jamalpur, District - Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Juli Devi Wife of Manas Choudhary Resident of Village - Shahpur, P.S.-
Nath Nagar, District - Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda
For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-09-2019 This application, for grant of anticipatory bail, arises out
of Bhagalpur Mahila P.S. Case No. 05 of 2017, disclosing offences
under Sections 498A, 494 and 34 of the Indian Penal Code.

Petitioner happens to be husband of the informant and
allegation against him and others is of subjecting the information to
torture and cruelty with respect to demand of dowry, it is also alleged
that petitioner has solemnized his second marriage with another lady.

Submission of learned counsel for the petitioner is that
the allegation that petitioner has solemnized second marriage as well
as other allegations are false and concocted and he is still ready to
keep her with full honour and dignity and it is the informant, who
does not want to live with the petitioner and earlier a Sanha has also
been lodged by the mother of the petitioner in the concerned police



station as the informant has gone somewhere out of her own will.

Heard learned A.P.P. also.

In this case earlier a Vakalatnama has been filed on behalf of informant – opposite party no. 2 but none has appeared on her behalf today.

Having heard both sides, considering the facts and circumstances, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhagalpur, in connection with Bhagalpur Mahila P.S. Case No. 05 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that if the informant desires to live with the petitioner, he has to keep her with full honour and dignity, otherwise, his bail bond will be cancelled.

(Vinod Kumar Sinha, J)

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