

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78409 of 2018

Arising Out of PS. Case No.-113 Year-2018 Thana- RAJNAGAR District- Madhubani

Sanjay Kumar Chaudhary, S/o- Vishwanath Chaudhary, R/o Village- Ram Patti, P.S.- Raj Nagar, District- Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rakhi Kumar, W/o- Sanjay Kumar Chaudhary, D/o- Ram Udit Jha, R/o Mohalla- Darbhanga, P.S.- Darbhanga, District- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dr. Satyendra Kumar Srivastava, Adv.
For the Opposite Party/s	:	Mr. Md. Ashlam Ansari, APP
For the Informant	:	Mr. Manish Kumar No.13, Adv. Mr. Rohit Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-01-2019 This is an application for grant of anticipatory bail in connection with Raj Nagar P.S. Case No. 113 of 2018, disclosing offences under Sections 341, 323, 498(A), 379/34 of the Indian Penal Code.

Allegation against the petitioner, who happens to be the husband of the informant, is of mentally and physically torturing to his wife for demand.

Submission of learned counsel for the petitioner is that the petitioner is still ready to keep the informant with full dignity and care. Further, he has no criminal antecedent.

Heard learned A.P.P. as well as learned counsel for the informant, they have also submitted that the informant is also ready to live along with the petitioner.



Having heard both sides, in view of the above facts and circumstances of the case, let the petitioner, above named, be surrendered before the learned court below within a period of six weeks from the date of receipt of order of this Court and on surrender he will be released on provisional bail for a period of one month on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Madhubani, in connection with Raj Nagar P.S. Case No. 113 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

In the meantime, learned court below shall issue notice to the informant and try to reconcile the matrimonial status between the parties and if the petitioner still ready to keep the informant and there is no laches on the part of the petitioner, the court below shall confirm the provisional bail of the petitioner, otherwise the court concerned is free to pass an appropriate order.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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