

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36077 of 2019**

Arising Out of PS. Case No.-1838 Year-2017 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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SANJEEV CHAUDHARY @ SANJEEV KUMAR CHAUDHARY Son of
Ram Bilas Chaudhary Resident of Village - Dhabauli, P.S.- Muffsail, O.P.
Lakho, Distt - Begusarai.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Mamta Devi Wife of Sanjeev Chaudhary, D/o Shivnandan Chaudhary)
Resident of Village - Dhabauli, P.S.- Muffsail, O.P. Lakho, Distt -
Begusarai., Naihar Address at Village - Ajhaur, P.S.- Nimachandpura, Distt -
Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar
For the Opposite Party/s : Mr.Jai Narain Thakur

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

6 20-09-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Complaint Case No. 1838C of 2017 in which

cognizance has been taken under Section 498A of the Indian

Penal Code and Section 4 of Dowry Prohibition Act.

In this case the jointness petition filed in terms of
order dated 22.8.2019 is accepted and service of notice on
opposite party No.2 is accepted as valid.

Prosecution allegation against the petitioner is that he
demanded Rs.2 lac, TV and motorcycle from opposite party
No.2 and for that she was subjected to cruelty.

Submission of learned counsel for the petitioner is



that the whole allegation is false and concocted, real fact is that she was suffering from mental disorder and petitioner got her treated at Mental hospital, Ranchi and she was prescribed for medicine for one month and in the meantime father of opposite party contacted her and taken her and now not allowing her to come and as such petitioner has filed Matrimonial Case No. 107/17 before the Principal Judge, Family Court, Begusarai for divorce against opposite party No.2 and in spite of filing of divorce case petitioner is still ready to keep her with dignity and care and get her treated by other doctor and for that she has to reside with the petitioner and once she is residing with him, he will withdraw the divorce case.

Heard learned APP and none appears on behalf of opposite party No.2 to oppose the prayer in spite of the fact that her father has received the notice.

In view of above facts and circumstances, let petitioner surrender in the court below by 16.10.2019 and on surrender he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Begusarai, in connection with Complaint Case No. 1838C of 2017, subject to the conditions as laid down under Section



438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned and further condition is that if opposite party No.2 is ready to reside with the petitioner he has to keep her with dignity and care and also as per his undertaking he will withdraw the divorce case filed by him.

(Vinod Kumar Sinha, J)

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