

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35075 of 2019

Arising Out of PS. Case No.-1217 Year-2018 Thana- COMPLAINT CASE District- Araria

Pradip Kumar Chouhan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 30-05-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has filed a complaint bearing Complaint Case No. 1217C of 2018 wherein after inquiry, cognizance has been taken under Sections 498A, 341, 323, 379 and 504/34 of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

As per allegation in the Complaint petition, the petitioner was married to the complainant on 12.06.2015. Thereafter, it is alleged that accused persons started making demand of Rs. 2,00,000/-, a Godrej, L.C.D. and Washing Machine etc. and on non fulfillment of the same, they physically and mentally tortured the Complainant and it is further stated that a son was also born out of their wedlock.

It is submitted on behalf of the petitioner that allegations as made in the Complaint, are false and concocted and there has been no demand of dowry nor any torture as



alleged. It was the Complainant, who had deserted the petitioner, which led to the petitioner to filing a case for restitution of conjugal rights, which was registered as a case bearing Matrimonial Case No. 126 of 2015 in the Court of Principal Judge, Family Court, Katihar and it was more than two months after the filing of this case that the instant complaint has been filed.

Learned A.P.P. appearing on behalf of the State opposes the prayer for bail.

Taking into consideration the fact that the instant Complaint petition has been filed more than two months after filing of the suit for restitution of conjugal rights by the petitioner, let the petitioner, Pradip Kumar Chouhan, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Complaint Case No. 1217 C of 2018, 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, Araria, subject to the conditions as laid down under Section 438 (2) of Cr.P.C.

(Partha Sarthy, J)

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