

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40006 of 2019**

Arising Out of PS. Case No.-493 Year-2018 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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GANESH CHOUHAN Son of Chhote Lal Chouhan Resident of Village-
Mahmadupar, Tola Beldariyapar, P.S.- Asthawa, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manati Devi Wife of Ganesh Chouhan, daughter of Mangal Chouhan
Resident of Village- Bari Chhariyari, Tola Noniya Bigaha, P.S.- Tharthari,
District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

6 27-09-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No.493C of 2018 registered under Sections 341,
323, 498A, 494 and 504/34 of the Indian Penal Code besides
Sections 3/4 of the Dowry Prohibition Act.

The accusation is of torturing the opposite party no.2 by
her husband (petitioner) and other in-laws for non-fulfillment of the
dowry demand and also removing the opposite party no.2 from her
matrimonial house.

Learned counsel for the petitioner submits that the
marriage of the petitioner with the opposite party no.2 was performed



on 20.06.2018 and, after marriage, while both started living together happily but, within five days, due to abdomen pain of the opposite party no.2, the opposite party no.2 was rushed to the doctor, who opined about conceiving pregnancy by her from before. Thereafter, panchayati was arranged in which both decided to live separately and the articles, which were given to the petitioner in the marriage by the side of the opposite party no.2, were returned to the opposite party no.2 but the petitioner has falsely been implicated in this case. Further submission is that while the notice, as issued to the opposite party no.2, has been received by her father but in spite of that the opposite party no.2 did not appear before this Court.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Hilsa, Nalanda, in connection with Complaint Case No.493C of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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