

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45879 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- TANKUPPA District- Gaya

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ASHOK CHOUDHARY @ ASHOK KUMAR CHAUDHARY S/o Mathura Chaudhary @ Mathur Chaudhary R/o village- Mehar, P.S.- Tankuppa, District- Gaya

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rubi Kumari W/o Ashok Choudhary @ Ashok Kumar Chaudhary R/o village- Mehar, P.S.- Tankuppa, District- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mrs.Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 26-11-2019 Perused he Medication Report. It appears that the

Mediation has failed.

Petitioner, who is husband of opposite party no. 2, has moved this court for grant of anticipatory bail in connection with Tankuppa P.S. Case No. 10 of 2019 for the offences under Sections 498(A), 341, 323, 379, 504, 506/34 of the Indian Penal Code and ³/₄ of Dowry Prohibition Act.

Learned counsel for the petitioner submits that since the mediation has failed and opposite party no. 2 is not willing to live with the petitioner, petitioner has himself offered to pay a sum of Rs. 5000/- to the informant/opposite party no. 2 and her son who is living with her, subject to final outcome of the



maintenance case.

Considering the facts and circumstances of the case, wherein it appears that mediation has failed and now the parties have fallen apart and there are issues of compatibility between the parties and at this stage opposite party no. 2 is not willing to live with the petitioner and petitioner has himself offered to pay a sum of Rs. 5000/- per month towards maintenance to the informant and her son who is living with her, subject to result of the maintenance case, let the above-named petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - 1st, Gaya, in connection with Tankuppa P.S. Case No. 10 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that in terms of his own undertaking the petitioner shall pay a sum of Rs. 5000/- to the informant/opposite party no. 2 and her son in between first and fifteenth day of the month and shall remit the amount in the account of the informant/opposite party no. 2 regularly subject to final outcome of the maintenance case.

In case, the petitioner fails to abide by any of the conditions and undertaking as stated-above, it will be open for the informant/opposite party no. 2 to file an appropriate application in the court below for cancellation of bail bond of the petitioner.

The application stands disposed off.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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