

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45087 of 2019

Arising Out of PS. Case No.-416 Year-2018 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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AZAD CHOUMAN Son of Jamahir Chouhan @ Jawahar Chauhan Resident
of Village- Khapraha, P.S.- Chandi, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangita Devi D/o Vikku Chauhan Resident of Village- Bishunpur Beldari,
Post- Hargawan, P.S.- Manpur, District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha

For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 23-10-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Complaint Case No. 416C of 2018 in which

cognizance has been taken under Sections 498A, 323, 379, 504

and 506/34 of the Indian Penal Code.

As per complaint petition petitioner happens to be
husband of the complainant and allegation against him is that he
subjected his wife to torture with respect to demand. It further
appears from the impugned order that earlier petitioner had filed
anticipatory bail application in which both the parties have
compromised and agreed to pay Rs.2 lac in favour of opposite
party No.2 but petitioner has not paid the same.

Submission of learned counsel for the petitioner is



that now he is ready to keep the complainant with him with dignity and care. On the other hand, learned counsel for opposite party No.2 has opposed the prayer for anticipatory bail on the ground that earlier compromise failed due to non-payment of the agreed amount to opposite party No.2.

Heard learned APP also.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. However, it is still open to the petitioner pay the aforesaid amount to the complainant and the same shall be considered by the court below while considering bail application of the petitioner.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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