

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45349 of 2019

Arising Out of PS. Case No.-673 Year-2016 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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SHANKAR CHOUDHARY Son of Ashok Chaudhary Resident of village -
Devra, P.S.- Hasanpur, Dist.- Samastipur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Jivan Jyoti Kumari W/o shankar Chaudhary, D/o Prem Nath Chaudhary
Resident of village - Shakarpura, P.S.- Hasanpur, Dist.- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjai Kumar Singh

For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 22-10-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Complaint Case No.673 of 2016 , registered for offences
punishable under Section 498A of the Indian Penal Code.

As per the complaint case there is allegation against the
petitioner of torturing the complainant , who happens to be his
wife, mentally and physically.

Submission of the learned counsel for the petitioner is
that the allegation is false and concocted and the marriage
was solemnized in the year, 2008. He is still ready to keep her
with dignity and care but the complainant is not ready to reside



with the petitioner, which will appear from the impugned order itself.

Heard learned A.P.P. also.

In this case earlier notice was issued to the O.P.no.2 and it appears that she has appeared by filing Vakalatnama but nobody appears on behalf of the O.P.no.2.

In such view of the matter, this application is allowed and the provisional bail granted to the petitioner earlier, vide order dated 23.07.2019 is confirmed.

(Vinod Kumar Sinha, J)

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