

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69228 of 2019

Arising Out of PS. Case No.-2055 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Gaurav Kumar @ Gaurav Kumar Chaubey @ Gaurav, Son of Niraj Chaubey
@ Dadan Chaubey, Resident of Village- Barwa Chaubey Tola, P.S.- Sikarpur,
District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruchi Kumari, Daughter of Manoj Kumar Mishra, Resident of Village-
Mauja Areraj Jogyar, P.S.- Govindganj, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-11-2019 This is an application for grant of anticipatory bail in

connection with Trial No. 2194 of 2019, arising out of

Complaint Case No. C-2055 of 2018, disclosing offences under

Section 498A of IPC and Section 3/4 of Dowry Prohibition Act.

Petitioner happens to be the husband of the
complainant. There is allegation of demand, torture and ousting
from the house. It further appears that a maintenance case is also
pending before the Principal Judge, Family Court, Motihari
being Maintenance Case No. 393 of 2019.

Submission of the learned counsel for the petitioner is
that he is still ready to keep her with dignity and care, for that he
has filed a petition for restitution of conjugal rights at Saket



Court, New Delhi, but the opposite party no.2 is not ready to reside with the petitioner.

Heard learned A.P.P. and counsel for the opposite party no.2, who has submitted that there is no chance of compromise, as such, she is interested for one time settlement.

Having heard both sides, as the matter is pending before the Principal Judge, Family Court, Motihari, in which, as per submission, both the parties have appeared, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Sub Divisional Judicial Magistrate, Sadar, Motihari, East Champaran, in connection with Trial No. 2194 of 2019, arising out of Complaint Case No. C-2055 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that he has to appear before the Family Court, Motihari as and when required and be abide by any order passed by the Family Court.

At the same time, learned Principal Judge, Family Court, Motihari is directed that before proceeding further, he has to take steps for reconciliation either for one time settlement or



for any other amicable settlement and try to reconcile the matter within three months from the date of receipt of this order.

Let a copy of this order be communicated to the learned Principal Judge, Family Court, Motihari.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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