

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66970 of 2018

Arising Out of PS. Case No.-676 Year-2015 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

Ashok Choudhary, Son of Late Ganga Choudhary, Resident of Village
-Sohrabi Ghat, P.S. Kusheshwar Asthan, Distt.-Darbhanga

... .. Petitioner

Versus

1. The State of Bihar
2. Munni Devi, wife of Ashok Choudhary, D/o Late Shivshankar Choudary,
Resident of Village Gadha, P.S. Bhagwanpur, Distt.-Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s	:	Mr. Md. Sufiyan, APP
For the Opposite Party no.2	:	Mr. Binod Bihari Sinha, Advocate
		Mr. Aman Abdullah Khan, Advocate
		Mr. Raju Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 18-11-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 676-C of 2015, disclosing offences under Sections 498A, 323, 307, 379, 34 of the Indian Penal Code.

As per complaint case, there is allegation against the petitioner of demand of Rs.50,000/- and for that, assaulted her, causing fracture and ousted her from the house.

On appearance of the opposite party no.2, matter was referred to the Patna High Court Mediation and Reconciliation Center, vide order dated 20.06.2019, but mediation failed, as in the prevailing circumstances, it is not possible for the petitioner



to brought his wife. He is ready to maintain her. There is also illicit relationship of the petitioner with his Bhabhi.

Submission of learned counsel for the petitioner is that the whole allegation is false and concocted. As in the prevailing circumstances, it is not possible for the petitioner to brought his wife. He is ready to maintain her.

On the other hand, the opposite party no.2 has appeared and submitted that she is ready to reside with the petitioner without any condition, but in spite of that petitioner is not ready to keep her, making one plea of another and as such, petitioner does not deserve anticipatory bail.

Having heard both sides, in view of the facts, as stated above as well as the conduct of the petitioner, it is not make out a case for anticipatory bail for the petitioner, as such, he has to surrender on 02.12.2019 and pray for regular bail and at that time also, if he is ready to keep her with him, the same shall be considered by the learned court below while deisposing of his bail application. The opposite party no.2 shall also remain present in the Court on that day.

The earlier order staying the further proceedings in Complaint Case No. 676-C of 2015, vide order dated 03.01.2019 passed by this Court, is recalled.



With the aforesaid observations, this application is
disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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