

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67535 of 2018

Arising Out of PS. Case No.-63 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Ajay Chaudhary, Son of Jagdish Chaudhary Resident of Mohalla- Gulabbagh
P.O./P.S. Barh, District- Patna.

... .. Petitioner

Versus

1. The State Of Bihar,
2. Arti Devi, Wife of Ajay Chaudhary@ Daughter of Raj Kumar Chaudhary
Resident of Mohalla- Chailitanr, Jalla Road, P.O. Gulzarbagh, P.S.
Alamganj, District- Patna, Pin Code no. 800007

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr. Sidhendra Narayan Singh, Advocate Mr. Jagannath Prasad, Advocate
For the Opposite Party/s :		Mr. Rajendra Singh Shastriji, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

5 29-04-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 63 of 2017, registered under Section
498(A) of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

The accusation is that marriage of the
complainant/O.P. No.2 was performed with this petitioner on
11.07.2013 according to Hindu custom. In the marriage, cash of
Rs. 50,000/- utensils of Rs. 10,000/- ornaments of Rs. 80,000/-,
household articles and clothes of Rs. 25,000/- were given as



gift. While complainant/O.P. No.2 was kept 2-3 month, but thereafter, she was tortured by the petitioner and his other family members for demand of cash of Rs. One lakh, on which she showed inability of her parents to fulfill the demand. The Nandosi Ladu Choudhary and Nanad of the complainant/O.P. No.2 also used to visit her Myaka and instigate her inlaws for demand of dowry. In the meantime, complainant/O.P. No.2 gave birth of a baby on 01.06.2014 and thereafter, she was being more tortured and in the month of October, 2015, complainant/O.P. No.2 came at her Myaka with her baby. Later on, Sushila Devi, mother in law of the complainant/O.P. No.2 lodged Complaint Case No. 933 © of 2015 for the offence under Section 323, 379 of the Indian Penal Code on false ground against the parents of complainant/O.P.No.2 in which all are on bail.

Learned counsel for the petitioner submits that, in fact, parents of the complainant/O.P. No.2 came at the house of the petitioner and made demand of money for construction of house, but the parents of the petitioner refused to give money then parents of the petitioner created nuisance regarding which Sushila Devi, mother of the petitioner, lodged Complainant Case No. 933 of 2015 registered under Section 323, 379 of the



Indian Penal Code, but in counter the parents of the complainant/O.P. No.2 managed to lodge the present case. Further submission is that the matter was referred to Mediation Centre, Patna High Court, Patna, but due to adamant attitude of the complainant, the matter could not be settled.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M. Patna City, Patna in connection with Complaint Case No. 63 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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