

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 17782 of 2020**  
**Arising Out of PS. Case No 82 Year 2019 Thana- Haspura District- Aurangabad**

1. Santosh Kumar Chaudhary, aged about 31 years (male) son of Nakul Chaudhary.
  2. Vinod Kumar Chaudhary @ Alope Kumar, aged about 25 years (male), son of Nakul Chaudhary
  3. Nakul Chaudhary, aged about 58 years (male), son of Late Ram Das Chaudhary,
- All are resident of Village Shankarpur, P.S. Haspura, Distt. Aurangabad.  
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                          |   |                         |
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| For the Petitioner/s     | : | Mr. Ravindra Kumar Adv. |
| For the Opposite Party/s | : | Ms. Shaheen Begum APP.  |
| For the informant        | : | Ms. Mukul Kumari, Adv.  |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

|   |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| 2 | 10-09-2020 | <p>Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant, through video conferencing.</p> <p>The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Haspura P.S. Case No. 82 of 2019 registered under sections 498A, 341, 323, 504 and 34 of the Indian Penal Code.</p> <p>As per allegation in the FIR, it is stated by the informant that she entered into a love marriage with one Ashok Kumar Choudhary, son of petitioner no. 3 herein. The marriage took place on 16.12.2019 but soon thereafter the said Ashok Kumar Choudhary started to abuse and torture her. It is stated that he does not v with her. It is stated that when the</p> |
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informant went to her husband's house in village Shankarpur, the accused persons, the three petitioners herein also beat her up and forced her out of the house.

It is submitted by learned counsel for the petitioners that the allegations as levelled in the FIR are false and concocted. The petitioner nos. 1 and 2 are brother-in-law (devar) of the informant while the petitioner no. 3 is her father-in-law.

It is submitted that from reading of the FIR itself it would be evident that the informant and Ashok Kumar Choudhary had married on their own and were living together, away from the village home of the petitioners. It is further submitted that the petitioners have no criminal antecedent.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is further submitted by learned counsel for the informant that it is not only the husband who tortured the informant but also the three petitioners herein, who are closely related to her husband being the two brother-in-law and father-in-law. They were all involved in the torture and assault of the informant and in forcing her out of the house. She submits that she has a six months old daughter from the said marriage and the husband is absconding. It is for this reason also that the application for anticipatory bail should be rejected.

Having heard learned counsel for the parties and taking



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|  |  | <p>into consideration the facts and circumstances of the case including the submissions made on behalf of the petitioners, the contents of the FIR and the petitioners not having any criminal antecedent, the Court is inclined to enlarge the petitioners on anticipatory bail. The petitioners are directed to surrender in the court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Haspura P.S. Case No. 82 of 2019 they shall be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/ (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad subject to the conditions as laid down under section 438(2) of the Cr.P.C.</p> |
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(Partha Sarthy, J)

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