

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61357 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- MAHILA PS District- Darbhanga

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KESHAV CHANDRA CHOUDHARY Son of Chiranjeev Choudhary
Resident of Village-Nehra, Police Station-Mani Gachi, District-Darbhangha.

... .. Petitioner

Versus

1. The State of Bihar
2. Babli Kumari W/o Keshav Chandra Choudhary D/o Manoj Kumar Jha,
Resident of Dainitol, P.S. Manigachhi, Dist.-Darbhanga.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 28-02-2020 Heard learned counsel for the petitioner and learned

APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Darbhanga (Mahila) P.S. Case No.18 of 2019 registered for the offence punishable under sections 498A, 323, 504 and 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

As per allegation in the F.I.R., it is stated that at the time of marriage in the year 2018, a sum of Rs. 12 lacs was spent by the family of the informant. It is stated that soon after the marriage, the behaviour of the accused persons changed and they started to misbehave and torture the informant. It is further



stated that the petitioner used to take liquor and abused the informant and also started making demand of Rs. 5 lacs by way of dowry. In spite of panchayati, the situation did not improve. It is finally stated that the petitioner was also having an illicit affair outside the marriage.

It is submitted by learned counsel for the petitioner that for reasons best known to the informant, she was not ready to live with the petitioner and was always misbehaving with the members of his family. This led to filing of the divorce suit on 25.02.2019, which was registered as Divorce Suit No.32 of 2019 in the Family Court, Darbhanga. It was subsequent thereto on 05.03.2019, that the instant F.I.R. was lodged with false and concocted allegations. It is further submitted that the petitioner has no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Darbhanga (Mahila) P.S. Case No.18 of 2019,



he will be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga, subject to the condition as laid down under section 438(2) of the Criminal Procedure Code.

(Partha Sarthy, J.)

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