

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62245 of 2019

Arising Out of PS. Case No.-1055 Year-2016 Thana- GAYA COMPLAINT CASE District-
Gaya

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CHANDAN CHAUHAN Son of Late Bisheshwar Chauhan Resident of
Village-Juniar, Nonia Bazar, Police Station-Hilsa, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Gudiya Devi D/o Ram Bilash Chauhan Wife of Chandan Chauhan At
Present Resident of Village-Jamne Ramdaspur, P.S-Chandauti, District-
Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyamal Prakash
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-01-2020 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Complaint Case No.1055 of 2016 , registered for offences
punishable under Section 498A of the Indian Penal Code.

Petitioner happens to be husband of the complainant.
There is allegation of demand of Rs.01 lac and for non-
fulfillment of the same, she was subjected to cruelty and
assault and thrown her out of the house.

Submission of the learned counsel for the petitioner is
that the allegation is false and concocted. He is still ready to
keep her with dignity and care.



On the other hand the learned counsel for the informant has opposed the prayer for bail on the ground that a case has also been lodged by the petitioner's side against the complainant that shows his conduct and in spite of that the complainant is ready to reside with the petitioner, if she is allowed to live with the dignity and care and if the petitioner is not pressing the complaint case against the complainant and others . On that, submission of the learned counsel for the petitioner is that in that case already the accused persons including the complainant has been acquitted.

Having heard both sides and considering the stands of the parties, let the petitioner surrender on 24.01.2020 and on that day O.P.no.2 shall also remain present in the court below and on appearance of both the parties and on filing of the affidavit by the petitioner that he will take her from the court below itself and will keep her with dignity and care, the petitioner shall be released on provisional bail in connection with Complaint Case No.1055 of 2016 for a period of nine months and during that period, both the parties have to appear before the learned court below in the third week of each month so that the learned court below may watch the conduct and matrimonial relationship between the parties an once being



satisfied with the conduct of both the parties and their matrimonial relationship especially the conduct of the petitioner, the bail bond of the petitioner shall be confirmed otherwise the learned court below is free to pass any other order or orders as he deems fit and proper including cancelling the bail bond of the petitioner. It is needless to say that if O.P.no.2 does not appear on the date fixed, or she is not ready to reside with the petitioner, the petitioner shall be released on bail by the learned court below to his own satisfaction.

With the above direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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