

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72781 of 2019

Arising Out of PS. Case No.-69 Year-2015 Thana- MAHILA P.S. District- Madhubani

Santosh Kumar Chaudhary Son of Puran Chaudhary Resident of Village -
Shiv Puri Tole Tharvita Ward No. 11, P.S.- Kishanpur, District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amita Devi Wife of Santosh Kumar Chaudhary Resident of Village - Shiv Puri Tharvita, Ward No. 11, P.S.- Kishanpur, District- Supaul. At present Daughter of Bindeshwar Chaudhary, Resident of Village - Piparahi, P.S.- Ladaniya, District- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 22-01-2020 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioner being the husband of Opposite Party No.2 is apprehending his arrest in connection with Mahila P.S.Case No.69 of 2015 registered for the offences punishable under Sections 498(A), 386, 379 and 504 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is ready to keep the Opposite Party No.2 with full honour and dignity. He further submits that he will arrange to take his wife to her matrimonial home at the earliest preferably by the end of this month. He further submits that he had always been willing but for some petty reasons, Opposite Party No.2 is



is not willing to leave her matrimonial house.

Counsel for the informant, however, submits that the petitioner has not been cooperating and earlier also when father-in-law and mother-in-law were granted bail on the basis of compromise, she was again ill-treated by her in-laws and was ousted from her matrimonial house for no reasons whatsoever. He thus submits that the complainant is apprehensive about going to her matrimonial home and, if at all, she goes she may need necessary order so that there is some deterrent hanging in the minds of the petitioner. It is further submitted that if the petitioner behaves in a cordial manner showing some love affection towards his wife, she is willing to stay with her husband.

Considering the aforementioned facts and circumstances, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender in the court below within a period of four weeks from the date of receipt of the order, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Madhubani in connection with Mahila P.S. Case No.69 of 2015, subject to the conditions as laid down under Section 438(2) of



the Cr.P.C.

It is made clear that the petitioner shall go to the complainant's house and collect his wife from her parental home by 31st of January, 2020 and thereafter keep her with all honour and dignity.

It is further submitted that there will be no recurrence of any mental torture and harassment to the Opposite Party No.2 by the petitioner in future. It is also made clear that the father-in-law and mother-in-law shall not make unnecessary obstruction as they are themselves on bail pursuant to the order of this Court.

(Anjana Mishra, J)

B.Kr./-

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