

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14848 of 2019

Arising Out of PS. Case No.-497 Year-2016 Thana- COMPLAINT CASE District- Lakhisarai

Tuntun Choudhary Son of Arjun Choudhary Resident of Village - Mahiron
Chowk, P.S.- Piri Bazar, Distt - Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sona Devi Wife of Tuntun Choudhary, D/o Mahendra Choudhary Resident
of Village - Ali Nagar, P.S.- Suryagarha, Distt - Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jainendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Rajendra Prasad Nat, Advocate
		Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

8 28-06-2021 Heard the parties in virtual Court proceeding.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 323/498A/504 of the Indian Penal Code and Section 3/4 of the D.P. Act.

Petitioner is husband of Opposite Party No.2 in a case registered under Section 498A of the Indian Penal Code based on complaint petition.

On notice Opposite Party No.2 has already appeared through Vakalatnama. However, no one is there to argue this case.



Learned counsel for the petitioner submits that in fact Opposite Party No.2 has already married with some other person.

If the aforesaid statement is correct, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Complaint Case No. 497C of 2016, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

If the Court-below would come to the notice, at any stage of the trial, that the aforesaid statement of the petitioner that Opposite Party No.2 has already married to some other



person is not factually correct that would be a ground for
cancellation of anticipatory bail.

(Birendra Kumar, J)

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