

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28474 of 2020

Arising Out of PS. Case No.-318 Year-2019 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Santosh Chaudhary, aged about 28 years, Male, son of Late Dashrath Chaudhary, Resident of Village-Saraungi, Police Station-Kauwakol, District-Nawada.

... .. Petitioner

Versus

1. The State of Bihar
2. Kiran Devi, aged about 25 years, Female, wife of Santosh Chaudhary, daughter of Ashok Chaudhary Resident of Village-Saraungi, Post Office-Saraungi, Police Station-Kauwakol, District-Nawada. At present resident of village-Koshi, Post Office-Koshi, Police Station-Roh, District-Nawada.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr.Shashank Chandra, Advocate
For the Opposite Party : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner, who is the husband of the complainant, is apprehending arrest in connection with Complaint Case No. 318 of 2019 for offences under Sections 323 and 498A of the Indian Penal Code and 4 of the Dowry Prohibition Act.

Learned counsel appearing on behalf of the petitioner submits that the allegation of torture upon the opposite party no. 2 physically and mentally by the petitioner is patently false. The petitioner always maintains pious relationship as husband and wife with opposite party no.2. Learned counsel further submits



that the petitioner is ready to keep his wife (opposite party no. 2) with full honour and dignity.

Considering the aforesaid and in order to restore normalcy in conjugal life between the petitioner and opposite party no.2, this Court is inclined to grant the privilege of anticipatory bail to the petitioner. Let petitioner, above-named, in the event of arrest or surrender within one month from today, be released on bail on furnishing bail bond of Rs.50,000/- (Rupees fifty thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Nawada in connection with Complaint Case No. 318 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

In the event the petitioner neglects, misbehaves or torture the complainant (opposite party no. 2), the court below shall be at liberty to cancel his bail bond.

(Anil Kumar Upadhyay, J)

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