

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43278 of 2021**

Arising Out of PS. Case No.-1109 Year-2018 Thana- WEST CHAMPARAN COMPLAINT  
District- West Champaran

SIKANDAR CHAUDHARY Son of Sri Ramjeet Chaudhary Resident of  
Village - Budhaiya bazaar, Bahuarwa, P.S. - Chautarwa, District - West  
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Seema Devi Wife of Sikandar Chaudhary and Daughter of Sri Radhe Mahto  
Resident of Village - Sewa Bathuwariya, P.S. - Bathuwariya, District - West  
Champaran.

... .. Opposite Party/s

**Appearance :**

|                            |                               |
|----------------------------|-------------------------------|
| For the Petitioner/s :     | Mr. Umesh Chandra Verma, Adv. |
| For the Opposite Party/s : | Mr. Harendra Prasad, APP      |
|                            | Mr. Sunil Kumar no.3, Adv.    |
|                            | Mr. Raki Alam, Adv.           |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      18-02-2022                      Heard learned counsel for the parties through video  
conferencing.

The petitioner has preferred this application for grant  
of regular bail in a case registered under sections 498A, 406,  
323 and 341 of the Indian Penal Code.

As per the allegations in the complaint filed by the  
opposite party no.2 it is stated that the complainant was married  
to the petitioner in the year 2016 and various articles including  
armaments, cash etc. were given at the time of marriage. It is  
stated that on reaching her *sasural*, the accused persons



including the petitioner herein started to torture and assault the complainant and used to abort her whenever she was in the family way. Her pregnancy was terminated thrice. Ultimately she was ousted from the house.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only for the reason that he happens to be the husband of the complainant. The allegations are false and concocted. No such occurrence has taken place. The petitioner has been enlarged on bail, however, subsequently by order dated 19.2.2021 the bail bond was cancelled. The petitioner is in custody since 24.2.2021.

The application for bail is opposed by learned counsel appearing for the opposite party no.2 who submits that not having abided by the conditions led by the trial Court, by order dated 19.2.2021 the learned trial Court rejected the bail of the petitioner for nonfulfillment of its conditions. The complainant is still ready to live with the petitioner provided he keeps her with full dignity and respect.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case specially the petitioner having



remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Complaint Case no. C-1109 of 2018 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 Additional Chief Judicial Magistrate-I, Bagaha, West Champaran.

**(Partha Sarthy, J)**

Bibhash

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