

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54939 of 2021

Arising Out of PS. Case No.-218 Year-2019 Thana- SHAMBHUGANJ District- Banka

Niwas Choudhary Son Of Naresh Choudhary R/O Village- Bari Khajuri, P.S.-
Shambhuganj, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. Kajal Kumari Daughter Of Om Prakash Ray R/O Village- Bari Khajui, P.S.-
Shambhuganj, District- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate.

For the Opposite Party/s : Ms. Rita Verma, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 31-08-2022 Heard Mr. Pankaj Kumar, learned counsel for the

petitioner and learned Additional Public Prosecutor for the

State.

The application for grant of bail to the petitioner,
above named, who has been made accused and put behind the
bar in connection with Shambhuganj P. S. Case No. 218 of 2019
registered for the offences punishable under Sections 341, 379,
498A, 504, 506 and 34 of the Indian Penal Code and Section 3/4
of the Dowry Prohibition Act.

As per the prosecution case, it is alleged that the
marriage of the informant was solemnized with the petitioner
four years ago and out of the wedlock a male child was born. It
is further alleged that though, it was a love marriage but soon
after the marriage the co-accused persons including the
petitioner started demanding dowry and the informant was



subjected to mentally and physically torture through various manners.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour, statement to that effect is also mentioned in paragraph 9 of the application. It is next submitted that it is informant, who did not perform her domestic work for a moment despite the petitioner and his family members used to keep her with all grace and honour but she used to flee away her *maika* at the tutting of her parents. It is further submitted that the petitioner having fair antecedent, is in custody since 29.06.2021.

On the other hand, learned counsel for the opposite party no. 2 submits that she is ready to live with the petitioner, if he would be able to mean his ways and keep her with full dignity and honour.

Learned APP for the State also opposes the bail application.

Regard being had to the submissions made on behalf of the petitioner and taking into consideration the period of incarceration and is stand that he is ready to keep his wife, let



the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate-IV, Banka in connection with Shambhuganj P. S. Case No. 218 of 2019, with a further direction; both the parties will appear on the next date fixed in the case and on the appearance of both the parties, learned court below will try to resolve the dispute amicably after proper mediation and thereafter, the petitioner will take the informant to keep as her wife with full dignity and owner. It is also expected that the court will keep watch over the conduct of both the parties at least for six months and learned court below will pass appropriate order, if need arises.

(Harish Kumar, J)

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