

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32621 of 2022

Arising Out of PS. Case No.-765 Year-2020 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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DEEPAK KUMAR CHOUBEY @ DEEPAK CHAUBEY SON OF
JAYCHANDRA CHOUBEY RESIDENT OF VILLAGE- SISWA
CHOUBEY TOLA, P.S. PAHARPUR, DISTRICT- EAST CHAMPARAN.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. KAMNI DEVI WIFE OF DEEPAK KUMAR CHOUBEY @ DEEPAK
CHAUBEY, D/O VINOD PANDEY RESIDENT OF VILLAGE- PARAS
PAKADI, P.S. MAJHULIYA DISTT.- W. CHAMPARAN.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

9 18-04-2023

1. Heard learned Counsel for the parties.

2. The petitioner seeks pre-arrest bail in connection
with Complaint Case No. C-765/2020 arising out of Trial
No.213 of 2021, registered for the offences punishable under
Sections 498A, 323 of the Indian Penal Code and Section 3/4 of
D.P. Act.

3. In compliance of the order dated 10.04.2023, the
Superintendent of Police has been able to produce O.P. No.2 in
the Court where O.P. No.2 is adamant to live at Delhi whereas
the petitioner informs that he is happy at his village home and
he is also responsible to take care of old illy father. He is also



ready to take care of his two minor child.

4. Considering the fact that O.P. No.2 is adamant to live at Delhi, any interference of this Court to pass any direction against her will is not proper at the moment. Petitioner has made specific statement in the bail application that he is ready to keep O.P. No.2 with full dignity and honour and the same has been tested in the open Court where he has reiterated by making statement that he is still ready to keep the O.P. No.2.

5. Considering the strained relationship of the couple, this Court advise them to reconcile and lead to happy married life. Petitioner who have already been granted interim protection is directed to be released on pre-arrest bail.

6. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with with Complaint Case No. C-765/2020, arising out of Trial No.213 of 2021, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and with a further condition that if the statement made in paragraph No.3 of the present bail application



with respect to the criminal antecedent of the petitioner is found
to be incorrect, this order will automatically will loose its force.

(Purnendu Singh, J)

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