

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40852 of 2022

Arising Out of PS. Case No.-85 Year-2016 Thana- LADANIA District- Madhubani

MAHENDRA CHAUDHARY Son of late Bhagwan Lal Chaudhary Resident
of village- Laxminiya, P.s- Ladaniya, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nepur Devi Wife of Mahendra Chaudhary Resident of village- Laxminiya,
P.S- Ladaniya, District- madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Bhaskar, Adv.

For the Opposite Party/s : Mr. Dinesh Singh, APP.

Mr. Shailendra Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 16-02-2023 Heard learned counsel for the petitioner, learned counsel
for the opposite party no.2 and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 341, 323, 498(A),
379, 34 of the Indian Penal Code .

Petitioner, who is husband of opposite party no2., is said
to have tortured upon her physically and mentally and ousted
her from her matrimonial home in association of his family
members.

It is submitted by learned counsel for the petitioner that
the petitioner is an innocent person and has committed no
offence. Petitioner has not driven her out of her matrimonial



home. The petitioner has relied upon the judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006 (3) PLJR 182*. It is further submitted that the petitioner is ready to keep her with full honour and dignity.

In that view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Ladaniya P.S. Case No. 85 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Anjani Kumar Sharan, J)

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