

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62411 of 2022

Arising Out of PS. Case No.-175 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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AMIT KUMAR CHAUDHARY S/o Late Ramadhar Chaudhary Resident of
ward no 05, Ganesh Nagar, Ram Mandir, P.S.- Jamul District Chattisgarh

... .. Petitioner/s

Versus

1. The State of Bihar
2. PINKI CHAUDHARY W/o Amit Kumar Chaudhary Resident of - Ram
Mandir, Ganesh Nagar, Ward no.- 5, P.S.- Jamul Bhilai, P.O.- Jamun,
District- Durg (Chattisgarh)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Zainul Abedin, Adv.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-05-2023 Heard Mr. Binod Kumar Pandey, learned counsel

appearing on behalf of the petitioner and Mr. Zainul Abedin,

learned counsel appearing on behalf of the State.

The petitioner seeks pre-arrest bail in connection with
Complaint Case No. 175 of 2022, dated 29.03.2022, registered
for the offences punishable under Section 498A, 379, 323, 504,
506/34 of the Indian Penal Code and 3/4 of the D.P. Act.

Complaint was lodged by the opposite party no. 2 due
to strained matrimonial relationship between the parties. The
allegation is of demand of dowry and torture.



Learned counsels appearing on behalf of both the parties informs this Court that they are willing to live together with uncertain terms and conditions.

Considering the fact and the willingness of the parties, the petitioner is directed to file a joint affidavit before the learned Court below within a period of four weeks stating therein that they have agreed to live together willingly.

In case, they do not agree to live together, then settlement arrived between the parties and the terms and conditions must be stating in the affidavit clearly shown that the parties are mutually agreed.

No coercive steps be taken against the petitioner after executing the affidavit in the manner stipulated above.

Considering the aforesaid fact, the petitioner is directed to file a joint affidavit before the learned court below that the petitioner and the O.P. No.-2 are willing to live together and if such affidavit is filed within a period of four weeks from today, the petitioner would be released on provisional pre-arrest bail for a period of one year on such terms and conditions as fixed by the learned court below and after observing the conduct of the petitioner and no any complaint is filed by O.P. No.-2 against the petitioner, the provisional pre-arrest bail granted to



the petitioner would be confirmed, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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