

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1116 of 2023

Arising Out of PS. Case No.-394 Year-2021 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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SUNIL CHOUDHARY SON OF SRI MEGHAN CHOUDHARY R/O VILL.-
HAZI SARAI, P.S.- KAKO, DISTT.- JEHANABAD (BIHAR)

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. PARMILA DEVI D/O VIJAY CHOUDHARY R/O MOHALLA-
BABUGANJ WARD NO. 6, RAFIGANJ, PO AND PS- RAFIGANJ,
DISTT.- AURANGABAD(BIHAR)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh, Adv.
For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-06-2023 Heard the parties.

Though, the notice has validly been served upon the complainant, but nobody appears on her behalf.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498(A) of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

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 over the dowry demand.



It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and has committed no offence. Petitioner has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. 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 Aurangabad Complaint Case No. 394 of 2021, 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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