

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50096 of 2023

Arising Out of PS. Case No.-44 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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AMARDEEP KUMAR CHOUDHARY @ AMARDEEP KUMAR SON OF
RAJ KUMAR CHOUDHARY RESIDENT OF VILLAGE- MAHABIR
PARA ROAD GURUDWARA GALI WARD NO.26 THANA KISHANGANJ
DISTRICT KISHANGANJ

... .. Petitioner/s

Versus

1. The State of Bihar
2. NITU KUMARI WIFE OF AMARDEEP KUMAR CHOUDHARY @
AMARDEEP KUMAR, D/O LAKHAN CHOUDHARY RESIDENT OF
VILLAGE- MILANPARA KHUSKIBAG, PS- SADAR, DIST- PURNEA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Rajeev Ranjan
For the Opposite Party/s :	Mr. Manoj Kumar
	Md. Fazle Karim

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 18-01-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498A/34
of the Indian Penal Code.

3. Petitioner, who is husband of opposite party
no2., is said to have ousted the opposite party no.2 from her
matrimonial home in association of his family members over the
dowry demand.

4. 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. It is further submitted that the petitioner has filed a divorce application before the learned Principal Judge, Family Court, Kishanganj, bearing Matrimonial Case No.60 of 2020, and in the said case a decree of divorce has been passed in favour of the petitioner vide order dated 23.09.2022. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Considering the fact that decree of divorce has already been passed in favour of the petitioner, 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 Complaint Case No.44 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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