

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73302 of 2024

Arising Out of PS. Case No.-920 Year-2023 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Saroj Chaupal @ Saroj Mahabir Chaupal Son of Mahabir Chaupal Resident
of Village - Dumari, P.S. - Rahika, District - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Devkala Devi Wife of Saroj Chaupal Resident of Village- Dumari, P.S.-
Rahika, District- Madhubani. At present address- Daughter of Ramawtar
Choupal, Resident of Kamaldah, P.S. - Raiyam, District - Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ratnakar Jha, Advocate
For the State	:	Mr. Sanjay Kumar, APP
For the Complainant	:	Mr. Manoj Kumar Pandey, Advocate
		Ms. Kumari Pallavi, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-11-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for
grant of anticipatory bail apprehending his arrest in connection
with C.R. no. 920 of 2023 registered under section 498A of the
Indian Penal Code.

3. As per the prosecution case, the complainant states
that she was married to the petitioner in the year 2016. At the
time of marriage her parents spent Rs.5 lacs in the marriage and
Rs.2 lacs by way of gifts. Soon after the marriage, the accused
persons including the petitioner herein, who happens to be her
husband, started torturing her for demand of dowry to the tune
of Rs.2 lacs. It is further stated that on 4.1.2023, she was



abused, assaulted, her ornaments taken and she was forced out of her *sasural*. Hence, the complaint.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the husband of the complainant. The allegations are false, concocted and categorically denied. For an alleged occurrence said to have taken place on 4.1.2023, the complaint was filed on 10.10.2023. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel for the complainant. Learned counsel for the complainant submits that there is direct allegation against the petitioner, who happens to be the husband of the complainant. The allegations have been supported by the complainant and the witnesses whose statements were recorded in course of inquiry. Referring to the order of the learned Court below it is submitted that the behaviour of the petitioner would also be evident from the same. The application for anticipatory bail be rejected.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R, the delay in lodging of the complaint from the alleged



date of occurrence together with the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with C.R. no. 920 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate First Class, Madhubani.

(Partha Sarthy, J)

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