

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74927 of 2023

Arising Out of PS. Case No.-295 Year-2019 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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BAHADUR CHAUDHARY BHUNESHWAR CHAUDHARY VILLAGE-
KAMTA, PS. PARASI, DIST. ARWAL

... .. Petitioner/s

Versus

1. The State of Bihar
2. SUNITA DEVI W/O BAHADUR CHAUDHARY R/O- KAMTA FULARI,
PS. PARASI, DISTT. ARWAL. A/P R/O 9 NO. SULISH, PS. AND DISTT.
ARWAL

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh
For the Opposite Party/s : Mr. Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 05-03-2024
1. Heard learned Counsel for the petitioner, learned Counsel for the complainant-Opposite Party No. 2 and learned Additional Public Prosecutor for the State.
 2. The petitioner apprehends his arrest in connection with Complaint Case No. 295 (C) of 2019, registered for the offences punishable under Section 498-A of the Indian Penal Code.
 3. The allegation, as per the complaint, is that the marriage of the Opposite Party No. 2 was solemnized with the petitioner nine years ago. The petitioner and other family members started demanding Rs. 50,000/- and a motorcycle and due to non-fulfillment of the said demand, they tortured the Opposite Party No. 2 physically as well as mentally. The petitioner,



along with his family members ousted the opposite party no.

2. It is also alleged that the petitioner solemnized second marriage with another girl namely Sanju Devi.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. Learned counsel further submits that the allegations against the petitioner are false and concocted. The allegation of second marriage is also false and there is no cognizance under Section 494 of I.P.C. He further submits that petitioner wants to keep the complainant with full honour and dignity but the complainant does not like sasural and stays at her maika willfully. However, without prejudice to the right and contention of the petitioner, and in order to maintain harmony in the family, the petitioner is ready and willing to pay a sum of Rs. 3,000/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case as well as the matrimonial case, if any, pending and or decided between the parties.
5. Learned Counsel for the complainant-Opposite Party No. 2 accepts the offer so made by learned Counsel for the petitioner and submits that the petitioner may be directed to deposit the said amount of Rs. 3,000/- per month in the bank account of the complainant-Opposite Party No. 2, details of which shall be furnished by learned Counsel for the Opposite Party No. 2



to learned Counsel for the petitioner within ten days from today.

6. After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the offer made by learned Counsel for the petitioner has been accepted by learned Counsel for the Opposite Party No. 2, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on bail, upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Arwal, in connection with Complaint Case No. 295 (C) of 2019.
9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 3,000/- per month in the bank account of Opposite Party No. 2, starting from 15th March, 2024.

(Anil Kumar Sinha, J)

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