

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35413 of 2025

Arising Out of PS. Case No.-644 Year-2024 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Keshav Kumar Chaudhary @ Keshav Kumar S/O Late Ghanshyam Chaudhary R/O Village/Muhala- Harpatti, P.S- Bahadurpur, Distt.- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aarti Jha W/O Keshav Kumar Chaudhary @ Kesahv Kumar, D/O Vinay Kumar Chaudhary @ Vinay Kumar Jha R/O Village- Dargahpur, P.S- Bahadurpur, Distt.- Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Kedar Jha, Advocate
For the State	:	Mr. Anil Kumar Singh No. 1, APP
For the O.P. No.2	:	Mr. Nilendu Kumar Choudhary, Advocate

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Complaint Case No. 644 of 2024, corresponding to T.R. No. 4295 of 2024 dated 15.06.2024, filed for the offences punishable under Sections 323, 341, 379, 354, 314, 504, 506 and 498(A) of the Indian Penal Code and Section 3/4 of D.P. Act.

3. As per allegation, the complainant-wife was subjected to torture by the petitioner-husband and his mother



and sister on account of non-bearing of child by her, whereas as per the doctor report, the petitioner himself is responsible for non-bearing of the child. As per further allegation, after getting a job on compassionate ground, after the death of his father, the petitioner has become more cruel and greedy for additional dowry and states that the complainant/wife must pay more dowry to him or he would divorce her, so that he could get married for additional dowry.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that there is no truth in the allegation and as a matter of fact, the petitioner is always ready to keep his wife with all love and dignity at the place of posting.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned counsel for the complainant also says that the complainant is always ready to live with the petitioner, if he keeps will all dignity.

8. Considering the aforesaid facts and circumstances,



this petition is allowed, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Complaint Case No. 644 of 2024, corresponding to T.R. No. 4295 of 2024, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

9. The complainant is at liberty to join the petitioner-husband at the place of posting, if she wants and in case, the petitioner-husband does not take her to his place of posting, she



has remedy by way of filing an appropriate application before
the Family Court.

(Jitendra Kumar, J.)

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