

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85327 of 2024

Arising Out of PS. Case No.-552 Year-2022 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Chandra Shekhar Kumar S/o Kanchan Bhagat R/o vill - Sohar Bigha, P.S. -
Jamhore, Distt.- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kiran Devi W/o Chandra Shekhar Kumar R/o vill - Sohar Bigha, P.S. -
Jamhore, Distt.- Aurangabad. At present residing with her Parents, D/o
Suresh Bhagat Malakar, R/o vill - Manora, P.s- Obra, Dist- Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukul Kumari

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 05-05-2025 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the opposite party no.

2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341,323, ,
504, 506, 379, 498A of the Indian Penal Code.

3. As per the prosecution case, the informant states
that her marriage was solemnized with the petitioner in the year
2005. After some years of marriage, all accused persons
including the petitioner herein started to assault her mentally
and physically on account of non-fulfillment of demand of
dowry and ultimately ousted her from matrimonial house. There



are also two daughters born out of the wedlock.

4. Learned counsel for the petitioner submits that the allegations made in the complaint petition are not correct and as a matter of fact, the petitioner had always been ready to keep the O.P. No.2 with due dignity and honor and had also gone several times to bring his wife along with the children but the O.P. No.2 did not agree to the same and rather resorted to assault upon the petitioner along with her family members due to which Jamhore P.S. Case No.207 of 23 was lodged by the petitioner under Sections 341, 323, 325/34 of the IPC against O. P. No.2 and her family members.

5. Learned counsel for the O.P. No.2, however, opposes the anticipatory bail and supports the allegations made in the complaint petition.

6. At this stage, learned counsel for the petitioner submits that the petitioner makes an offer to pay Rs. 4,000/- to his wife in the second week of every month for her basic requirements. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

7. In such view of the matter, let the above named petitioner, be released on bail 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 Chief Judicial Magistrate, Aurangabad, in connection with Complaint Case No.552 of 2022 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

8. If the O.P. No.2 furnishes the bank account in which the amount can be transferred, and yet the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, the O.P. No.2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

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