

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1953 of 2025

Arising Out of PS. Case No.-191 Year-2018 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Keshav Kumar Chaudhary S/O Shri Jagannath Chaudhary @ Jagannath Chaudhary Resident of Village- Nanaur, P.S- Rudrapur, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sadhana Kumari W/o Shri Keshav Kumar Chaudhary and D/O Late Ramanand Nidhi At present resident of Village- Samaila, P.O -Pachadhi, P.S- Raiyam District- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Subhash Kumar Mishra, Adv.
For the State	:	Mr. Yogendra Kumar Singh, APP.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 23-04-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. Earlier vide order dated 12.02.2025, notices were issued to the Opposite Party No.2 (complainant) and from perusal of the service report available on record, it appears that the notice by ordinary process has been received by Opposite Party No.2 personally, but the Opposite Party no.2 has chosen not to appear in the present proceedings.

3. Petitioner apprehends his arrest in connection with C.R. No. 191 of 2018, registered for the offences punishable u/s 498 (A) of the IPC and Section 4 of the Dowry Prohibition Act and he is the husband of the complainant.



4. The prosecution case is based upon a complaint filed by the O.P. No.2 in which cognizance has been taken under Section 498A of the IPC and Section 4 of the Dowry Prohibition Act. Petitioner, who is husband of complainant, is said to have tortured upon her physically and mentally and ousted her from the matrimonial home in association of his family members over the dowry demand.

5. Learned counsel for the petitioner submits that the allegations levelled in the complaint are absolutely false and he has never indulged in any demand of dowry or torture upon the complainant. It is further submitted that pursuant to the filing of the present complaint case, the parties had appeared before the Family Welfare Committee on 28.05.2018 and had given a joint compromise petition. The further submission on behalf of the petitioner is that he was and is always ready to keep the complainant with full dignity and honour and it is actually the complainant who is not desirous of staying in the matrimonial household. It is also submitted by learned counsel for the petitioner that now and then, the petitioner and the complainant keep on meeting and visiting places, but still the present case under Section 498A has been kept alive for the purpose of exerting pressure on the petitioner.



6. Learned APP for the State opposes the prayer for anticipatory bail

7. Considering all the above mentioned facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Darbhanga in connection with Complaint Case No.191 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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