

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.51922 of 2024**

Arising Out of PS. Case No.-252 Year-2022 Thana- DARBHANGA COMPLAINT CASE  
District- Darbhanga

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CHANDRA MOHAN CHAUPAL S/O PARMESHWAR CHAUPAL R/V  
GHANSHYAMPUR, P.S- GHANSHYAMPUR, DISTT.- DARBHANGA.

... ... Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SULEKHA KUMARI W/O CHANDRA MOHAN CHAUPAL, D/O  
SHYAM CHAUPAL R/V KAKODHA, P.S- SAKATPUR, DISTT.-  
DARBHANGA.

... ... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar, Adv.  
For the Opposite Party/s : Mr. Manoj Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY  
ORAL ORDER**

5 31-01-2025 Heard the parties.

2. The petitioner is in custody in connection with  
Complaint Case No. 252 of 2022 for the offence punishable under  
sections 409(A), 341, 323 of the Indian Penal Code.

3. As per the prosecution story, the complainant  
alleged that she was married to the petitioner in the year 2012 but  
for want of dowry was always tortured and on the fateful day, was  
assaulted, which led to the FIR.

4. Though the lady has produced the medical document  
to fortify her case that on 07.07.2022, she was treated at Primary  
Health Center, Ghanshyampur in the district of Darbhanga, in  
view of the fact that in another case lodged by the lady herself, he



has been in custody from 09.04.2024 to 31.07.2024 and now an undertaking is being given that till an order comes in the maintenance case to be filed by the lady, he is ready to pay Rs. 5,000/- to her beside Rs. 2,000/- to the son (totaling Rs. 7,000/-) who is studying in class 4 nearer the parent's home of the lady. After repeated adjournments, this Court has come to the conclusion that they, for the present, are not ready to reside together, the case is there, the petitioner will face the music, in that background, this Court is inclined to extend him relief.

5. The lady has undertaken that she will be filing a maintenance case before appropriate Court for her maintenance within a period of six months. In case, the same is filed, after the order passed by the Court concerned, the payment order made by this Court shall merge with the order of that Court. If the lady fails to file maintenance case within a period of six months, it is for the petitioner to decide whether to continue with the payment or not. On the other hand, if the case is filed by the lady within next six months, the petitioner is duty-bound to continue making payment till an order is passed regarding the payment by that Court. The payment has to be made beginning February, by tenth of every month failing which the lady shall be free to take steps for cancellation of his bail bond.

6. Let the petitioner be released on bail on furnishing



bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M. 1<sup>st</sup> Class, Biral, Darbhanga in connection with Complaint Case No. 252 of 2022 subject to the following conditions:

- (i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;
- (ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;
- (iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;
- (iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

Vijay Singh/-

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