

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39565 of 2013**

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1. Jay Prakash Chauhan S/O Sri Laxmi Chauhan

.... .... Petitioner/s

Versus

1. The State Of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

2 24-12-2013

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner being husband of the complainant apprehends his arrest in connection with Complaint Case No. 2714 of 2012 in which cognizance has been taken for the offences punishable under Sections 323, 406, 498A of the Indian Penal Code.

There is allegation of torturing against the petitioner but submission on behalf of the petitioner is that petitioner is still ready to keep the complainant with him with full honour and dignity.

The impugned order of learned Sessions Judge reflects that when Sessions Judge tried to patch up the dispute of the parties, petitioner refused to lead his conjugal life with the

complainant.

Regard being had to the facts and circumstances of the case as well as submissions of the parties, I am not inclined to release the petitioner on bail and hence, his prayer for anticipatory bail in connection with Complaint Case No. 2714 of 2012 pending in the court of Sri A. K. Mall, Judicial Magistrate 1st Class, Gopalganj stands rejected.

However, if petitioner surrenders before the court below within six weeks from today and expresses his willingness to lead his conjugal life with the complainant, the concerned court shall take notice of the aforesaid fact and pass appropriate order in the light of above stated statement of the petitioner.

**(Hemant Kumar Srivastava, J)**

SHAHZAD/-