

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6973 of 2015

Arising Out of PS.Case No. -1005 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1. Sanjay Chaudhary son of Krishna Mohan Chaudhary Resident of Village
- Balahiya, Police Station - Piar, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kailash Nath Diwakar

For the Opposite Party/s Mr. Akbar Ali(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 23.02.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner happens to be husband and admittedly, marriage
of the petitioner was solemnized with the complainant in the year
2002 and the present case was filed in the year 2013.

Learned counsel for the petitioner submits that, as a matter of
fact, complainant was elected as member of district board and after
that she deserted the petitioner. It is further contended by him that the
petitioner filed matrimonial case no. 52/2013 for restitution of his
conjugal rights and when the complainant got notice of the aforesaid
case, she filed the present case with mala fide intention. It is further
contended by him that learned Sessions Judge had also noticed the
complainant with an intent to resolve the dispute but she did not
appear before learned Sessions Judge also.

Considering the aforesaid facts and circumstances as well as

submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sub divisional Judicial Magistrate (East), Muzaffarpur in Complaint Case No. 1005/2013, Tr. no. 2155/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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