

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38454 of 2014

Arising Out of PS.Case No. -139 Year- 2013 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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Sukhari Paswan Son of Ram Naresh Paswan resident of village - Sikathi,
p.s. Dhansoi, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Asha Devi D/o Sudama Paswan resident of village - Sishowdha Dera, p.s.
Dhansoin, District - Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv
For the Opposite Party/s : Mrs. Pushpa Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

6 23-09-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioner is facing prosecution for the offences punishable under Section-498A of the Indian Penal Code and that the petitioner had filed Divorce Case No. 97 of 2012, but has not produced the ordersheet, showing withdrawal of the aforesaid despite an opportunity given to the learned counsel for the petitioner on 30.07.2015, this Court is not inclined to grant the privilege of anticipatory bail keeping in view that if the petitioner wants to continue

with the divorce case, the Opposite Party No. 2 definitely can continue with the complaint case.

The submission of Mr. Bachan Jee Ojha, learned counsel for the petitioner that the petitioner is ready to pay sum of Rs. 1000/- per month has to be only noted for its being rejected.

In that view of the matter, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Mihir Kumar Jha, J)

Ranjan/-

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