

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34486 of 2014**

Arising Out of PS.Case No. -3015 Year- 2011 Thana -PATNA COMPLAINT CASE District-  
PATNA

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1. Neeraj Kumar Pathak @ Niraj Kumar Pathak S/o Shri Parsuram Pathak  
Resident of Mohalla New Area Jakkanpur, Near Laxmi Market, P.O.  
Gardanibagh, P.S. Jakkanpur, in the Town AND District Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Chanchal Kumari @ Subha Mishra D/o Late Kamlakant Mishra, W/o  
Neeraj Kumar Pathak Resident of Mohalla Kankarbagh, Railway Quarter  
No. 145/C near Rajendra Nagar over bridge, Patna-20, present address New  
Chitragupta Nagar, Parwati Path, Behind Ram Kumar Apartment, P.S.  
Patrakar Nagar, Kankarbagh, Patna-20.

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

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**Appearance :**

For the Petitioner/s : Mr. Ashutosh Ranjan Pandey

For the Opposite Party/s : Mr. Anand Kishore Choudhary (App)

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

3      03-04-2015                      Heard learned counsel for the petitioner as well as  
  
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with  
  
Complaint Case No. 3015 © of 2011 registered for the offences  
  
punishable under Sections 498A of the Indian Penal Code.

Petitioner happens to be husband of the complainant  
  
but Anenxure-3 to the petition reveals that the marriage of  
  
petitioner and complainant has already been dissolved by a decree  
  
of divorce dated 24.01.2014 and up till now the aforesaid decree  
  
of divorce has not been challenged by the complainant. It is

informed that the complainant has already filed a suit for maintenance against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/-( ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> class, Patna in Complaint Case No. 3015 (C ) of 2011, subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Hemant Kumar Srivastava, J)**

Namita/-

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