

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5633 of 2015

Arising Out of PS.Case No. -686 Year- 2012 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Jitendra Chaupal S/o Ram Prasad Chaupal Resident of Village Batlohiya,
P.S. Pandaul, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arti Devi W/o Jitendra Chaupal, D/o Surendra Chaupal R/o Village
Salampur, P.S. Pandaul, District Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s Mr. T.P.Mandal(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 11.02.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with C.R. no.
686/2012 in which cognizance has been taken under section 498A of
the IPC.

Admittedly, petitioner is husband of the complainant and
earlier complainant filed Maintenance case no. 181/2011 against the
petitioner and the petitioner filed matrimonial suit bearing M.M.
no.155/2012 for restitution of his conjugal rights. In the above stated
M.M. no.155/2012 compromise petition was filed and on the basis of
compromise petition, Maintenance case no. 181/2011 as well as M.M.
no.155/2012 were disposed of. The complainant agreed in that
compromise petition to withdraw C.R. no. 686/2012 and admittedly,
the above stated case has not been withdrawn by the complainant as

yet and moreover, it appears that after the above stated compromise, complainant again, filed maintenance case bearing M.R. case no. 261/2013.

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 Chief Judicial Magistrate, Madhubani in Tr. no. 4348/2013 arising out of C.R. no. 686/2012 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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