

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9594 of 2017

Arising Out of PS.Case No. -133 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Sri Akhilesh Mishra @ Akhilesh Kumar Mishra, S/o Uma Shankar Mishra, resident of Village + Post- Basdilla, P.S.- Jalalpur, District- Saran (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Dr. Priyanka Mishra, W/o Sri Akhilesh Kumar Mishra, D/o Sri Ram Pravesh Mishra, at present residence of Rajendra Nagar, Road No. 12 Q No.- 17 E, P.S.- Kadamkuan, District- Patna- 800016.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandrashekhar, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

Mr. Pramod Ban Bihari Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

7/ 07-09-2017

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Opposite Party No.2.

Petitioner apprehends his arrest in Complaint Case No.133-C of 2016 instituted for the offence under Section(s) 498-A, 323/34 Indian Penal Code.

Both husband and wife are present in Chambers.

Wife has stated that in terms of the order dated, 13.07.2017, the husband-petitioner has visited her house in Chapra and stayed with her. She did not go to Delhi with him because she is running Homeopathic Clinic in Chapra. She has further stated that she did not go with her husband in view of



personal understanding between them.

Husband has stated that they have talked with each other and have developed good personal understanding. It has been agreed between them that they will be at liberty to visit the place/house of each other whenever they like and there will be no misbehaviour and torture either physical or mental when they visit to each other.

In Chamber, both husband and wife have shown good personal understanding.

This Court also feels from the behaviour and demeanor that, now, they have come to better understanding as husband and wife and they are free to take decision as they wish to spend their life.

In such circumstances, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Complaint Case No.133-C of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st class, Patna, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further condition that both husband and



wife will not commit any physical and mental torture with each other.

Both husband and wife will maintain good understanding with each other. This Court hopes that they will not give any occasion for complain against each other in future.

(Sanjay Priya, J)

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