

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1838 of 2019

Arising Out of PS. Case No.-948 Year-2018 Thana- SASARAM NAGAR District- Rohtas

Dipesh Chaurasiya @ Deepak Chaurasiya, S/o Haridwar Prasad Chaurasiya,
Resident of Alamganj, P.S.- Sasaram (Town), District - Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vandana Kumari Bhagat, D/o Rajeev Kumar Bhagat, Resident of Station Road, Dumrao, Ward No. 4, P.S.- Dumrao, District – Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Sri Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

8 19-07-2019 This is an application for grant of anticipatory bail in connection with Sasaram (Town) P.S. Case No. 948 of 2018, disclosing offences under Sections 498A, 354(A), 354, 323, 341, 34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Allegation against the petitioner, who happens to be the husband of the informant of demanding huge amount from the informant and for that, subjected her to different type of cruelty and there is also an allegation against the father-in-law of making illicit behaviour with her.

Submission of learned counsel for the petitioner is that as a matter of fact, she does not desire to live with the



petitioner and as such, she has made false allegation whereas the petitioner is still ready to keep her with dignity and care.

Considering the same, on appearance of the opposite party no. 2, the matter was referred to the Patna High Court Mediation & Reconciliation Center, vide order dated 16.04.2019 but the mediation failed.

On the other hand, the opposite party no.2 has appeared and submitted that she is not ready to reside with the petitioner due to cruelty meted out to her, but she wants for one time settlement. She has also filed a maintenance case before the Family Court, Buxar being Maintenance Case No. 115 of 2018.

Having heard both sides, considering the above facts and circumstances, as stated above, let petitioner is directed to surrender before the learned court below by 31.07.2019 and on surrender, he will be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned C.J.M., Rohtas, Sasaram, in connection with Sasaram (Town) P.S. Case No.948 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that he has to appear in the Maintenance Case No.115 of 2018 on the next date



fixed, i.e. 01.08.2019 and he is to co-operate in disposal of the same and at the same time, the Family Court, Buxar is directed the petitioner to appear in that case, he will proceed with the trial and pass an interim order for maintenance within a period of four months from the date of appearance of the husband.

It is also made clear that failure to co-operate in the maintenance case, the opposite party no.2 is at liberty to move for cancellation of the bail bonds of the petitioner before the learned court below itself.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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