

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39827 of 2019**

Arising Out of PS. Case No.-2761 Year-2018 Thana- PATNA COMPLAINT CASE District-  
Patna

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RUPESH SAO @ SHIBBU S/o Sri Nand Kishore Sao Resident of Mohalla-  
Karwa Ki Sarai, P.S.- Malsalami, District- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Neha Kumari W/o Sri Rupesh Sao @ Shibbu Resident of Mohalla- Math  
Laxmanpur, Koiri Tola, P.S.- Alamganj, District- Patna.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rajesh Mohan

For the Opposite Party/s : Mr.Jagdhari Prasad

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

3      22-08-2019                      Heard the learned counsel for the petitioner and  
  
learned APP.

2. The petitioner apprehends his arrest for the  
  
alleged offences under Section 498(A) of the Indian Penal  
Code and Section 4 of the D.P.Act registered in connection  
with Complaint Case No. 2761(c) of 2018.

3. It is submitted that the petitioner has been  
  
falsely implicated and the petitioner expresses his readiness  
to keep the opposite party no. 2 with due dignity and  
honour. The petitioner has also filed a petition for restitution  
of conjugal rights by way of Matrimonial Suit No. 751 of  
2018, which is pending in the Court of learned Principal



Judge, Family Court, Patna.

4. Learned counsel for the opposite party no. 2 appears and states that the opposite party no. 2 is ready and willing to live with the petitioner provided she is kept with due dignity and honour.

5. In that view of the matter, the provisional bail granted to the petitioner by order dated 28.06.2019 pending in the Court of learned SDJM, Patna in connection with Complaint Case No. 2761(c) of 2018 is hereby confirmed.

**(Vikash Jain, J)**

Chandran/-

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