

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77691 of 2018**

Arising Out of PS. Case No.-68 Year-2016 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Dilip Chaudhari S/o Faujdari Chaudhary, R/o Vill.- Rajauli, P.S.- Rajauli,
District- Nawada.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Khushbu Devi, W/o Late Dilip Chaudhary, D/o Late Dhuri Chaudhary, R/o
Village- Bakara, P.S.- Giriyakj, District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr. Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 12-04-2019 The petitioner apprehends his arrest in connection with

Complaint Case No. 68(C) of 2016 registered under Section

323, 498A, 504 and 506 of the Indian penal Code.

Allegation against the petitioner is of subjecting the O.P.

No. 2 to cruelty and harassment with respect to demand.

Submission of learned counsel for the petitioner is that

whole allegation is false and concocted and petitioner is still

ready to keep her with full dignity and care.

Heard learned APP and learned counsel appearing on

behalf of the O.P. No. 2. They have opposed the prayer for

anticipatory bail on the ground that in maintenance case, interim

maintenance was awarded but that is not being paid to her.



However, she shows her desire to live with the petitioner if she is allowed to live with full dignity and care.

In such view of the matter, this application is disposed of with a direction to the petitioner to surrender before the court below on 02.06.2019 and file a petition with an affidavit that he is ready to keep his wife. On that day, O.P.No. 2 shall also remain present in court from where petitioner will take O.P.No. 2 to his house for keeping as wife with dignity and care. On which, the court below shall release the petitioner on provisional bail to its own satisfaction for a period of six months and watch the marital relationship as well as conduct of both parties by calling upon them on the first week of every month. Once, he is satisfied with the marital relationship and conduct of both parties are harmonious, provisional bail granted to the petitioner shall be confirmed, otherwise he is free to pass any order or orders which will be deem fit and proper including the cancellation of bail bond of the petitioner.

(Vinod Kumar Sinha, J)

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