

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67239 of 2019

Arising Out of PS. Case No.-1343 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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ABHISHEK SINGH @ ABHISHEK KUMAR @ ABHISHEK KUMAR
CHAUDHARY @ K.D. Son of Sri Ramchandra Chaudhary Resident of D.S.-
1313, Sector-D, L.D.A. Colony, Kanpur Road, P.S.- Ashiyana, Lucknow
(Uttar Pradesh).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suman Kumari Wife of Abhishek Singh, Daughter of Ratan Lal Presently
residing at Behind Devi Asthan, Badi Khagaul, Post and P.S.- Khagaul,
District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-11-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No.1343(C) of 2018 registered under Sections 498A, 323
of the Indian Penal Code and Section 4 of Dowry Prohibition
Act.

The learned counsel for the petitioner submits that
prior to institution of the present complaint case, the petitioner
filed petition for restitution of conjugal rights under Section 9 of
the Hindu Marriage Act and when the complainant got
information, the complainant filed the present complaint case.
The petitioner is ready to keep his wife with all honour and



dignity.

Learned counsel for the complainant and learned A.P.P. submits that complainant is also ready to live with her husband provided that her husband give undertaking to keep her properly.

Taking into consideration the fact that husband and wife are willing to restore their conjugal relation, let the petitioner, above named, is directed to surrender before the court below within a period of four weeks from the date of receipt of this order and on such, learned court below shall enlarge the petitioner on provisional anticipatory bail for four months on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Danapur, Patna in connection with Complaint Case No.1343(C) of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Thereafter, the learned court below shall make efforts for resolution of the disputes between husband and wife. If the petitioner keeps his wife with all honour and dignity after giving undertaking, learned court below shall confirm the provisional anticipatory bail granted to the petitioner and if the petitioner fails to keep his wife with all honour and dignity without the



fault of his wife, learned court below shall pass order on provisional anticipatory bail of the petitioner in accordance with law immediately after lapse of four months.

(Prabhat Kumar Jha, J)

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