

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.68560 of 2019

Arising Out of PS. Case No.-1421 Year-2018 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

HARIDWAR CHAUHAN Son of Baliram Chauhan Resident of Village-
Malwar, Police Station-Shivsagar, District-Rohtas (Sasaram).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Ramla Devi Wife of Haridwar Chauhan, Daughter of Late Girdhari Noniya
At Present Resident of Village-Saukaha, P.S-Chand, District-Kaimur
(Bhabhua).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

2 25-10-2019

Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.14121 of 2018 registered for offences punishable under Section 498A of the Indian Penal Code.

As per the complaint case, petitioner happens to be husband and the marriage was solemnized 23 years ago, they have children also and the one daughter has already been married but later on petitioner demanded Rs.01 lac and ousted her from the house. There is also allegation that the petitioner has also illicit relation with his *Bhabhi*.

Submission of the learned counsel for the petitioner is that the whole allegation is false and concocted and he is still ready to keep her with dignity and care but she is not ready to reside with the petitioner on the plea of having illicit relationship with his *Bhabhi*.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction to the petitioner to surrender within a period of three weeks from the date of receipt of the order and on that the petitioner shall be released on provisional bail in connection with Complaint Case No.1421 of 2018 for a period of six months and during that period, the learned court below shall issue notice to the O.P.no.2 and once the O.P.no.2 (complainant) appears and she is ready to reside with the petitioner, petitioner has to keep her with dignity and care and thereafter , learned court below on being satisfied with the conduct of both the parties shall either confirm the bail bond of the petitioner or pass any other order or orders as he deems fit and proper and it is also made clear that even if on issuing of notice, O.P.o.2 does not appear or she is not ready to reside with the petitioner, in that case, provisional bail of the petitioner shall be confirmed.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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