

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67471 of 2019

Arising Out of PS. Case No.-1452 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Shiv Shankar Rai, Son of Ram Chandra Rai, Resident of Village - Banjari,
P.S.- Bela, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Niyasa Devi, W/o Shivshankar Rai, D/o Vindeshwar Rai, Resident of
Village - Kharbani, P.S.- Khabani, Dist.- Mohtari (Nepal).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mahendra Thakur, Advocate
		Mr. Sanjay Kumar, Advocate
For the Opposite Party/s	:	Mr. Damodar Prasad Tiwary, APP
For the Informant	:	Mr. Pusupendru Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-01-2020 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 1452 of 2018 disclosing

offences under Sections 498A/34 of IPC.

Petitioner happens to be the husband of the
complainant and there is allegation of demand of Rs.50,000/-
and other articles and for that, she was subjected to cruelty.

Submission of the learned counsel for the petitioner is
that the allegation is false and concocted. He is still ready to
keep her with dignity and care and for that he has also filed a
petition for restitution of conjugal rights before the Principal
Judge, Family Court, being Matrimonial Case No. 208 of 2018.



Heard learned A.P.P. also and perused the record, from which, it appears that earlier notice was issued to the opposite party no.2 and she has already appeared in this case by filing a Vakalatnama, but nobody appears on behalf of the opposite party no.2.

Having heard both sides, considering the above submissions, made above, this application is allowed. The provisional bail granted to the petitioner, vide order dated 06.11.2019 is confirmed with the condition that if the opposite party no.2 is ready to reside with him, he has to keep her with dignity and care.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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