

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3803 of 2021

Arising Out of PS. Case No.-116 Year-2017 Thana- SHEKHPURA COMPLAINT CASE
District- Sheikhpura

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BANTI PRASAD @ BANTI KUMAR @ BANTI PRASAD GUPTA, SON
OF RAJENDRA PRASAD Resident of Village - New Etwarpur, Ram Janki
Path , P.S.- Parsa, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Labhali Devi W/o Banti Prasad @ Banti Kumar @ Banti Prasad Gupta.
Resident of Village - New Etwarpur, Ram Janki Path , P.S.- Parsa, Distt.-
Patna., Also resident of D/o Jawahar lal , Bandhi Sangat, Pulpar, P.s.- and
Distt.- Sheikhpura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishal Vikram Rana
For the Opposite Party/s : Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 09-09-2021 Heard Mr. Vishal Vikram Rana, learned

advocate for the petitioner and Mr. Shailendra Kumar,

learned APP for the State.

The petitioner, who is the husband of Opposite
Party No. 2, seeks bail in anticipation of his arrest in
connection with Complaint Case No. 116(c) of 2017, in
which cognizance has been taken under Sections 323,
406, 498(A) and 34 of the Indian Penal Code.

The prayer for anticipatory bail of the petitioner



was earlier twice rejected.

It has been submitted that because of the fact that the Opposite Party No. 2 intermittently kept on exiting the house of the petitioner that perhaps the statement made on his behalf before the Court about the spouses living under the same roof was found to be false. The petitioner even today is ready for a settlement of the matrimonial dispute with his wife / Opposite Party No. 2 provided she is agreeable for the same.

However, regard being had to the fact that twice the anticipatory bail on behalf of the petitioner has been rejected, I am not inclined to entertain this application for the third time.

The prayer for anticipatory bail is rejected.

Should the petitioner surrender before the court below and seek bail, the court below shall take into account all the relevant facts and shall pass order in accordance with law, without being prejudiced by the fact that the present petition on his behalf has not been



entertained by this Court.

(Ashutosh Kumar, J)

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