

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40305 of 2020

Arising Out of PS. Case No.-192 Year-2019 Thana- MAHILA P.S. District- Nalanda

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UMESH KUMAR CHOURASIA @ UMESH KUMAR CHAURASYA Son
of Bagedan Prasad Chourasia Resident of Maurya Ghat, Near - Janta Cold
Storage, P.S.- Kotwali, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Chandralekha Kumari @ Gunja Wife of Umesh Kumar Chourasia, Daugher
of Krishna Kumar Resident of Rana Pratap Nagar, Ward No. 8, Teacher
Colony, Islampur, P.S.- Islampur, District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Dharendra Pratap Singh
For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 20-12-2021 Heard the parties.

Learned counsel for the petitioner is permitted to remove
defect(s), as pointed out by the office, if any, within a period of four weeks
from today.

The petitioner apprehends his arrest in connection with Mahila
Police Station (Nalanda) Case No. 192 of 2019 registered for the offence
under Sections 498 (A), 323, 504, 506, 307/34 of the Indian Penal Code
and ³/₄ of the Dowry Prohibition Act.

The petitioner is husband of opposite party no.2. There are
allegation and counter allegation between the parties, which cannot be
decided in this proceeding.

Considering the aforesaid, the application for anticipatory bail
of the petitioner is allowed, let above named petitioner, in the event of his
arrest or surrender within four weeks from today, be released on bail on



furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Nalanda in connection with Mahila Police Station (Nalanda) Case No. 192 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

It is submitted by the learned counsel for opposite party no.2 that she has filed Maintenance Case No. 147 of 2021 before the Principal Judge, Family Court, Nalanda at Biharsharif.

Learned counsel for the petitioner appears and submits that he will not wait for service of notice as he has got information of filing of aforesaid Maintenance case today.

The petitioner is directed to appear before the Principal Judge, Family Court, Nalanda at Biharsharif on 3rd January, 2021. Thereafter, the Principal Judge, Family Court, Nalanda at Biharsharif will decide the aforesaid Maintenance Case within three months and inform this Court about the same.

Considering this, the Court below will dispose of the aforesaid Maintenance Case in light of the Judgment of the Hon'ble Supreme Court in case of **Rajnesh Versus Neha, reported in (2021) 2 SCC, 324.**

(Sandeep Kumar, J)

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