

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15281 of 2024

Arising Out of PS. Case No.-601 Year-2018 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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NAGENDRA PRASAD CHAURASIYA SON OF SHAILENDRA PRASAD
CHAURASIYA R/O-BHATTU BIGHA, P.S.-DEO, DISTT.-AURANGABAD

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. SHOBHA DEVI WIFE OF NAGENDRA PRASAD CHAURASIYA R/O-
NABINAGAR, SANICHAR BAZAR, P.O. AND P.S.-NABINAGAR,
DISTT.-AURANGABAD

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey
For the Opposite Party/s : Mr.Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 01-05-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The notice has validly been served upon the

opposite party no.2 but none appears for the opposite party no.

2.

3. The petitioner seeks anticipatory bail in

connection with Complaint Case No. 601 of 2018 registered for

the offence under Sections 323, 498A, 327, 341, 342, 386, 387,

467, 468 of the Indian Penal Code.

4. It has specifically been submitted by the learned

counsel for the petitioner that the petitioner is ready to keep his

wife but it is the wife who is not co-operating with the



petitioner.

5. Considering the allegations levelled against the petitioner and also considering the law laid down by the Hon'ble Supreme Court in the case of *Arnesh Kumar Vs. State of Bihar* reported in **2014 8 SCC 273**, this application is allowed.

6. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today is directed to be released **initially on provisional anticipatory bail** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, 1st, Aurangabad in connection with Complaint Case No. 601 of 2018 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. Thereafter, the Court below will try to settle the dispute between the parties and if the wife does not go with the petitioner because of petty reasons then the provisional anticipatory bail granted to be petitioner shall be confirmed.

(Sandeep Kumar, J)

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