

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.40909 of 2023

Arising Out of PS. Case No.-397 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Suraj Chaurasiya Son Of Vijay Chaurasiya Resident Of Village- Jabra, Ps-
Nokha, Distt- Rohtas, At Sasaram

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi Wife Of Suraj Chaurasiya Resident Of Village- Jabra, Ps-
Nokha, Distt- Rohtas At Sasaram At Present Mohalla Aalamganj Po-
Sasaram, Ps- Sasaram (TOWN), Distt- Rohtas At Sasaram

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Abhay Kumar

For the O.P. No. 2 : Mr. Rajani Kant Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 23-09-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf of
the O.P. No. 2.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 397 of 2021 registered for the offences
punishable under Section 498A of the Indian Penal Code.

3. The learned counsel appearing on behalf of the O.P.
No. 2 submits that on the last occasion when the case was taken up
on 28.08.2024, a specific submission was made on behalf of the
petitioner that he will go to the parental house of the O.P. No. 2 on
or before 16.09.2024 for fetching her back to her matrimonial
home and on behalf of the O.P. No. 2 it was submitted that in the
event if the petitioner comes to fetch the O.P. No. 2 back to her
matrimonial home, the O.P. No. 2 shall willingly join without any
protest. The learned counsel next submits that petitioner before



this Court had assured that he will go the parental home of the O.P. No. 2 for fetching her back, but then petitioner never came to the house of the O.P. No. 2 for fetching her back to her matrimonial home nor ever contacted her which amply demonstrates that petitioner never had any intention of restituting his conjugal rights, but only with a view to seek stay made such false submission.

4. Learned counsel appearing on behalf of the petitioner is not in a position to rebut the submission of the learned counsel appearing on behalf of the O.P. No. 2 that petitioner despite giving assurance to this Court never went to the house of the O.P. No. 2 for fetching her back to her matrimonial home when based on his instruction, a categoric submission was made that petitioner will go and fetch the O.P. No. 2 back to her matrimonial home.

5. Considering the submissions made by the learned counsel appearing on behalf of the O.P. No. 2, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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