

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38398 of 2017

Arising Out of PS.Case No. -64 Year- 2017 Thana -KARAI PARSARAI District- NALANDA
(BIHARSHARIFF)

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1. SANTOSH KUMAR NIRALA @SANTOSH KUMAR S/o Late Bishnu Rajak Resident of Village - Durga Sthan, Karai Parsurai, P.S. - Karai Parsurai, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Neha Kumari W/o Santosh Kr. Nirala, D/o Shankar Rajak R/o Mohalla - Ashiana Digha Road, Near Night to night Market in Basement of Tauhit Complex, Police Station - Rajivnagar, District - Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 21-08-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in judicial custody since 13.06.2017 in connection with Karai Parsurai P.S. Case No. 64/2017 for offences punishable under Section 498-A and other allied Sections of the Indian Penal Code.

The prosecution case, as lodged by opposite party no. 2, is that she was married to the petitioner in the year 2007 and has a male child of about five years. It is further alleged that her in-laws and her husband



assaulted, burnt her and she was taken away by her father, mother and brother to her parental home.

It has been submitted by the learned counsel for the petitioner that he is innocent, has been falsely implicated in the aforesaid case and is ready to keep his wife with full dignity and honour.

However, learned counsel for opposite party no. 2 submits that she is ready to stay with the husband if he keeps her with full dignity and honour.

Learned APP for the State has no objection.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on provisional bail for a period of two months on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Karai-Parsurai P.S. Case No. 64/17.

The provisional bail of the petitioner will be confirmed by the learned court below after a period of two months in three eventualities :- (i) if the matrimonial harmony is substantially restored or (ii) if



the complainant fails to appear before the learned court below or (iii) if the complainant deliberately get reluctant to reconcile the issue.

(Nilu Agrawal, J)

Rajesh/-

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