

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6644 of 2019

Arising Out of PS. Case No.-428 Year-2016 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Akhilesh Prasad @ Akhilesh Kumar, son of Rajeshwar Prasad, Resident of
Village- Abbupur, P.S.- Karai Parsurai, District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neelam Devi, Wife of Akhilesh Prasad, D/o Naresh Prasad, Resident of
Village- Naviganj, P.S.- Ekangarsarai, District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lovekush Kumar, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 26-06-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No.428 C of 2016, disclosing

offences under Sections 498A, 494 of the Indian Penal Code and

Section 4 of the D.P. Act.

Allegation against the petitioner is of demanding

Rs.50,000/-, due to non-fulfillment of the said demand,

complainant was tortured and assaulted by the petitioner and his

family members and for that she has approached the Mahila

Police where matter was compromised, but again she was

ousted from her matrimonial house.

Submission of the learned counsel for the petitioner is

that he is ready to keep her with dignity and care and the

allegation is false and concocted, even before the learned



Sessions Judge she does not appear, which will appear from the impugned order.

Heard learned A.P.P. and learned counsel appearing on behalf of the opposite party no.2 also, who has opposed the prayer for bail by stating that earlier also a bond has been executed in the year 2015 which will appear from Annexure-A to the counter affidavit filed by the opposite party no.2 to get her and her son and is ready to keep her with full dignity and care, but in spite of that, the petitioner has not brought them. The petitioner has tried to deceive the Court as is apparent from the facts as stated above.

Having heard both sides, in view of the facts and circumstances, as stated above, and the allegation, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, the same shall be considered by the learned trial court on its own merit.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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