

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21403 of 2019

Arising Out of PS. Case No.-324 Year-2018 Thana- BUDDHACOLONY District- Patna

Abhishek Kumar, Son of Nawal Kishore, Resident of Mohalla-Indra Nagar, Postal Park, Road No.1, Police Station-Jakkanpur, District-Patna, At present resident of 1/124, Bashundhara, Gaziabad, Sector-1, Indrapuram, District-Gaziabad (U.P).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Neha, Wife of Abhishek Kumar, Daughter of Lal Bahadur Chaurasia, Flat No. 403, S.D. Apartment, Kavi Raman Path, Nageshwar Colony, Police Station-Budha Colony, District-Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-06-2019 This is an application for grant of anticipatory bail in connection with G.R. Case No. 5652 of 2018 arising out of Budha Colony P.S. Case No. 324 of 2018, disclosing offences under Sections 341, 323, 498A, 504, 34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of torturing his wife, opposite party no.2 with respect to demand of dowry.

Learned counsel for the petitioner drawing my attention towards the F.I.R. and the statement, as a matter of fact, the F.I.R. itself shows that petitioner cannot satisfy her expectation regarding living style, and as such, she left the



house and he is still ready to keep her with full dignity and care and for that he has also filed a petition under Section 9 of Hindu Marriage Act.

Heard learned A.P.P. as well as learned counsel for the informant also, who has opposed the prayer for bail by stating that she has been assaulted by the petitioner.

Having heard both sides, considering the above submission, this application is disposed of with a direction to the petitioner to surrender before the learned trial court by 04.07.2019 and on that he will be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of Sub-Judge XVI-Cum-A.C.J.M., Patna, in connection with G.R. Case No. 5652 of 2018 arising out of Budha Colony P.S. Case No. 324 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is further subject to condition that if opposite party no.2 is ready to resident with her, he will send an *Air Ticket* to the opposite party no.2 for coming to reside with the petitioner and with further condition that petitioner shall keep her with full dignity and care.



With these observations, this application is disposed
of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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