

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18181 of 2019

Arising Out of PS. Case No.-294 Year-2018 Thana- MADHAURAH District- Saran

Nitesh Kumar @ Nitesh Kumar Rai Son of Ram Nigah Rai A resident of Tehati, P.S.- Marhowrah, District- Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Neha Kumari Wife of Nitesh Kumar, D/o- Kedar Prasad Yadav Resident of Village and P.O.- Sonharsa, P.S.- Panapur, District- Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-05-2019 This is an application for grant of anticipatory bail in connection with Marhowrah P.S. Case No. 294 of 2018, disclosing offences under Section 498(A) of the Indian Penal Code and Section 3/4 of the D.P. Act.

Case is under Section 498(A) of the I.P.C. and allegation against the petitioner is of subjecting his wife to cruelty and harassment with respect to demand of dowry and also ousted her from the house.

Submission of learned counsel for the petitioner is that the whole allegation is false and concocted and he is still ready to keep her with full dignity and care.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2, they have also submitted that opposite party



no.2 is also ready to live along with the petitioner, if he assure to keep her with full dignity and care.

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with a direction to the petitioner to surrender before the court below on 28.05.2019 and file a petition that he is still ready to keep the opposite party no.2 with full dignity and care and take her from the court below itself and on that date, the opposite party no.2 shall also remain present before the court below and on filing such an application, the court below shall release the petitioner on provisional bail for a period of six months to his own satisfaction and within that period, the learned court below will watch the conduct of both the parties by calling them in the first week of each month and once the learned court below is satisfied with the marital relationship and conduct of both the parties, specially the conduct of the petitioner, he shall confirm the provisional bail of the petitioner otherwise, he is free to pass any order or orders as he deems fit and proper.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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