

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26412 of 2019

Arising Out of PS. Case No.-955 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Akhilesh Singh, Son of Late Dukhit Prasad Singh, Resident of Village -
Senduari, P.s.- Hajipur, Dist.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Menka Kumari, Wife of Akhilesh Singh, D/o Abdhesh Mahto, At Present
Resident of Village - Dariyapur, P.S.- Fatuha, Dist.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-07-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 955 of 2017, disclosing

offences under Section 498A of the Indian Penal Code and

Section 4 of Dowry Prohibition Act.

Allegation of demand of motorcycle and rupees one
lakh and for that, assaulted the opposite party no.2/wife and
lastly ousted her from the house. There is also an allegation that
has an illicit relationship with his Bhabhi.

Submission of learned counsel for the petitioner is
that the whole allegation is false and concocted and she is not
ready to reside with him only because she has suspicion that
petitioner has illicit relationship with his Bhabhi. Further



submission is that petitioner is still ready to keep her with dignity and care.

Heard learned APP as well as learned counsel for the opposite party no.2, who has opposed the prayer for anticipatory bail on the ground that before the learned Sessions Judge, such submission has been made and he was directed to swear affidavit, but he refused to swear the affidavit.

Having heard both sides, considering the fact that if both the parties to live together and made their marital relationship good, let the petitioner, above named, appear before the learned court below on 17.07.2019 and on that day the opposite party no.2 shall also remain present in the Court, and further on filing of an affidavit by the petitioner that he is still ready to keep her with dignity and care and take her from the court itself, the learned court below shall release the petitioner on provisional bail for a period of six months. During that period, the learned court below shall watch the conduct of both the parties and further directs that both the parties shall appear in the second week of each month before the learned court below. Once the court below is satisfied with the conduct of both the parties, the court below either confirm the bail bonds of the petitioner or pass any other orders, which may deem fit and



proper, including cancelling the bail bonds of the petitioner.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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