

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30591 of 2019**

Arising Out of PS. Case No.-364 Year-2018 Thana- NALANDA COMPLAINT CASE  
District- Nalanda

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Akash Kumar, Son of Rama Shankar Ram, Resident of Village - Bamnauli,  
P.S.- Muffasil, Dist.- Bhojpur (Ara) at Present Mohalla- Kali Bari Rajgir,  
Dist.- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Kumari D/o Sumant Paswan Resident of Village - Deshna, P.S.-  
Asthawa, Dist.- Nalanda.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Chandra, Advocate  
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

5      09-08-2019                      This is an application for grant of anticipatory bail in  
  
connection with Complaint Case No. 364 C of 2018, disclosing  
  
offence under Section 498A of IPC.

Prosecution story as per the complaint petition is that  
complainant, who is wife of the petitioner is subjected to cruelty  
and assault with respect to demand of Rs.1,00,000/-.

Submission of the learned counsel for the petitioner is  
that no specific allegation has been attributed against the  
petitioner. He is a student of B.C.A. Further submission is that  
petitioner is ready to keep her with dignity and care.

Heard learned A.P.P. also.

In this case notice was issued to the opposite party  
no.2-complainant, but it appears that in spite of notice being



received by the opposite party no.2, personally, she has not appeared in this case. Twice the time has been extended for her appearance, but she did not chose to appear nor any Vakalatnama has been filed on her behalf.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, 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 learned S.D.J.M., Nalanda, at Biharsharif, in connection with Complaint Case No. 364 C of 2018,, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that if any case for maintenance has been filed by the opposite party no.2-complainant, he is to appear on personal service of notice to him and co-operate in disposal of the same.

**(Vinod Kumar Sinha, J)**

Sunil Shukla/-

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