

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44965 of 2019

Arising Out of PS. Case No.-264 Year-2018 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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NAGENDRA MEHTA @ NAGENDRA KUMAR Son of Kapil Mehta
Resident of Village - Jarmakhap, P.S.- Aurangabad (Muffsil), Dist.-
Aurangabad. (Bihar).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sabita Devi W/O Nagendra Mehta, D/O Prabhu Mehta Resident of Village -
Jarmakhap, P.S.- Aurangabad (Mufasil), Dist.- Aurangabad. At Present
Address - Parsa Jain, Post - Mirjapur, P.S.- Mali, Dist.- Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-10-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Complaint Case No. 265 of 2018 instituted for

the offences punishable under Sections 323 and 498A of the

Indian Penal Code.

As per complaint petition there is allegation against

the petitioner, who happens to be husband of the complainant,

that he subjected his wife to cruelty and ousted her from the

house with respect to demand of Rs.5 lac and motorcycle.

Submission of learned counsel for the petitioner is

that whole allegation is false and concocted and he is still ready

to keep her with dignity and care, whereas learned counsel for



opposite party No.2 has submitted that earlier she was taken by the petitioner and after assaulting he ousted her from the house and she has not been given any expenses by the petitioner but she is still ready to reside with the petitioner if some expenses is given to her.

Heard learned APP also.

In view of above stand of the parties, this application is disposed of with direction to the petitioner to surrender before the court below on 13.11.2019, on that day opposite party No.2 shall also remain present in court and on appearance of both the parties the petitioner shall be released on provisional bail by the court below itself on the condition that petitioner will keep opposite party No.2 with him with dignity and care and will take her from the court itself and also bear her day-to-day expenses even by paying some small amount to her. During that period both the parties shall appear in the court in fourth week of every month, so that the court may watch their conduct, specially the conduct of the petitioner and verify as to whether any amount is paid to her towards her expenses by the petitioner. Once the court is satisfied with the same, the court below shall confirmed the bail bonds of the petitioner, otherwise the court is free to pass any other order(s) as it may deem fit and proper, including



cancellation of bail bonds of the petitioner.

(Vinod Kumar Sinha, J)

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