

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45081 of 2019

Arising Out of PS. Case No.-57 Year-2018 Thana- MAHILA P.S. District- Bhagalpur

ASHISH KUMAR BHARTI Son of Sri Ambika Prasad Sah Resident of
Village - and P.S.- Rajoun, Distt - Banka.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Manisha Kumar Wife of Ashish Kumar Bharti Resident of Banshi Jha Lane
Chunihari tola, P.S.- Kotwali, Distt - Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 21-10-2019 Petitioner seeks bail in anticipation of his arrest in
connection with Bhagalpur (Mahila) P.S. Case No. 57 of 2018
registered for the offences punishable under Sections 498A,
341, 323, 504 and 506/34 of the Indian Penal Code.

Allegation against the petitioner, who happens to be
husband of the informant, is that he subjected her to cruelty and
ousted her from the house with respect to demand of Rs.5 lac.

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 dignity and care. On the other hand,
learned counsel for opposite party No.2 has submitted that
earlier also petitioner has taken her and again after assaulting he



ousted her from the house but in spite of that she is ready to reside with the petitioner if she is allowed to live with dignity and care.

Heard learned APP also.

In view of above facts and circumstances, this application is disposed of with direction to both the parties to appear before the court below on 14.11.2019 and on filing an undertaking by the petitioner that he will not subject her to cruelty and will take her from the court itself, the petitioner shall be released on provisional bail by the court below itself and during that period both the parties have to appear in the court below in third week of every month, so that the court may watch their conduct and marital relationship and once the court is satisfied with the same, the court below shall confirm the bail bonds of the petitioners, 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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