

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51756 of 2019**

Arising Out of PS. Case No.-1357 Year-2018 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Nilambar Dubey, Son of Praduman Dubey, Resident of Village - Gurhatta,
Hamam Road, P.S.- Khajekalan, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Poonam @ Nisha Devi, Daughter of Jawahar Lal @ Naresh Upadhaya,
Resident of Village - Kaila, P.S.- Sare, District - Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan, APP

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

4 05-11-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 1357C of 2018, disclosing

offence under Section 498A of the Indian Penal Code.

As per complaint case there is allegation against the
petitioner of demand of Rs.1,00,000/- for doing business and
due to non-fulfillment of the same, she is subjected to cruelty
and assault.

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. He has also taken
this stand before the learned court below also.

Heard learned APP as well as learned counsel for the



opposite party no.2, who has no objection in residing with the petitioner, if the petitioner is coming to take her.

In such view of the matter, let the petitioner, above named, surrender before the learned court below on 18.11.2019 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 ready to keep her with full dignity and care and to take her from the Court itself, the provisional bail granted to the petitioner, vide order dated 20.08.2019, shall be extended for a further 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 third week of each month before the learned court below. Once the court below is satisfied with the conduct of both the parties, and their marital relationship, especially the conduct of the petitioner, the court below either confirm the bail bonds of the petitioner, otherwise, he is free to pass any other order or orders, which may deem fit and proper, including cancelling the bail bonds of the petitioner.

It is also made clear that if the opposite party no.2 is not ready to reside with the petitioner or is not appearing before the court below on the date fixed, the learned court below shall



confirm the provisional bail granted to the petitioner.

With the aforesaid observations, this application is
disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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