

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63085 of 2019

Arising Out of PS. Case No.-579 Year-2017 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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NITISH KUMAR Son of Kesho Prasad Resident of Village - Amawan, P.S.-
Rajauli, District- Nawada

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Shobha Devi D/O - Mothilesh Prasad Resident of Village - Satgawan, P.S.-
Kadarma, District- Kodarma, (Jharkhand)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-01-2020 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Complaint Case No.579 of 2017 , registered for offences
punishable under Section 498A of the Indian Penal Code.

Allegation against the petitioner, who happens to be
husband of the complainant and there is allegation of demand
of dowry, for that assaulted her and tortured her as well as
ousted from the house.

Submission of the learned counsel for the petitioner is
that the petitioner is still ready to keep her with dignity and
care and earlier 16 katha of land has also been transferred in
the name of the children of the O.P.no.2 but still she is not
ready to reside with the petitioner.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction to the petitioner to surrender by 24.1.2020 and on that day O.P.no.2 shall also remain present in the court below and if the O.P.no.2 is ready to reside with the petitioner and the petitioner is also ready to keep her with dignity and care he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Nawada in connection with Complaint Case No.579 of 2017 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

It is needless to see that if the O.P.no.2 is not ready to reside with the petitioner in that case also the petitioner shall be released on bail to the satisfaction of the learned court below itself.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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