

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27284 of 2024

Arising Out of PS. Case No.-1115 Year-2022 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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NILESH KUMAR SINGH @ NILESH KUMAR SON OF SHRI MRITYUN-
JAY SINGH RESIDENT OF VILLAGE - BHARTHAULI, P.O. - RAM NA-
GAR, P.S. - AURANGABAD MUFASSIL, DISTRICT - AURANGABAD,
BIHAR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. NIDHI KUMARI @ NIDHI SINGH S/O NILESH KUMAR SINGH RESI-
DENT OF VILLAGE - BHARTHAULI, P.O. - RAM NAGAR, P.S. - AU-
RANGABAD MUFASSIL, DISTRICT - AURANGABAD. PRESENTLY
RESIDING AT C/O. ASHOK KUMAR SINGH, VILLAGE - PAWAI, P.S. -
MUFASSIL, POLICE STATION - DISTRICT - AURANGABAD, BIHAR -
824101

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dayanand Singh
For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 1115/2022 for the offences punish-
able under Sections 498(A)/323 of the Indian Penal Code.

3. The petitioner is the husband of the victim. He is
ready to keep the victim.

4. Learned Additional Public Prosecutor appearing on
behalf of the State has vehemently opposed the prayer for bail.

5. Considering the facts and circumstances of the case



and submissions of learned counsel for the parties, this application is allowed.

6. Let the petitioner, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Aurangabad in connection with Complaint Case No. 1115/2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The petitioner shall be released on *interim bail for three months* and if the relationship between the husband and the wife is restored then the provisional bail granted to the petitioner shall be confirmed. In case, the relationship is not restored and Court finds that it is because of the fault of the petitioner then only the appropriate orders shall be passed and if the Court finds that it is because of the fault of the wife then the provisional bail shall be confirmed.

(Sandeep Kumar, J)

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