

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81872 of 2024

Arising Out of PS. Case No.-441 Year-2024 Thana- RAHUI District- Nalanda

Nitish Kumar, Son of Late Chandrika Prasad, Resident of Village- Mahadpur
Balwapur Barah, P.O.- Sirsi Dihra, P.S.- Harnaut, District- Nalanda
... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Kumari, Wife of Nitish Kumar, D/O of Sudhir Yadav, Resident of Vill-
Dumri, P.S.- Rajgir, District- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nitee Ranjan, Advocate
For the State	:	Mr. Anant Kumar 1, APP
For the Respondent No.2	:	Mr. Ankit Kumar, Advocate
		Mr. Kumar Abhishek, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 11-02-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Respondent No.2.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 126(2), 115(2), 109, 319(2), 318(4), 303(2), 61(2), 85, 90, 3(5), 352 and 351(3) of the BNS, 2023.

3. The case of the prosecution is that the informant was married to the petitioner on 28.05.2023. It is further alleged that she was subjected to cruelty on account of non-fulfillment of dowry demand. It is also alleged that while the informant got pregnant, she was beaten badly due to which miscarriage took place.

4. Learned counsel for the petitioner has submitted that



police has filed charge-sheet under Section 85 of the BNSS and has found the story of miscarriage not true. Learned counsel further submits that he is ready to keep his wife with full dignity. The petitioner is having no criminal antecedent and he is in jail since 25.08.2024.

5. Learned counsel for opposite party no.2 has stated that there has been cruelty with the informant and the petitioner is not ready to keep his wife.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail with a condition that the petitioner shall make every effort to keep his wife with full dignity. The above named petitioner is directed to be released on bail in connection with Rahui P.S. Case No. 441 of 2024 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Biharsharif, Nalanda.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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