

Anup Kumar Upadheya Vs. the State of Bihar

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Court : Patna

Decided On : May-23-2012

Appellant : Anup Kumar Upadheya

Respondent : The State of Bihar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.3552 of 2012 Anup Kumar Upadheya Versus The State Of Bihar ----- 02. 23.01.2012. Heard learned counsel for the petitioner and learned Additional P.P. for the State. Petitioner happens to be husband of Nipu Kumari. From the lower court order, it is evident that some sort of negotiations had taken place which unfortunately could not be fulfilled. The bail granted to the petitioner was in the aforesaid background and that happens to be reason behind that one of the bailor was directed to be one of the family members of Nipu Kumari It has been submitted that unless and until petitioner comes out from the custody, the controversy having in between the party cannot be resolved. In the aforesaid facts and circumstances of the case, petitioner, namely, Anup Kumar Upadheya is granted provisional bail for a month, i.e., up to 23.02.2012 with a direction that he will make himself present before the learned lower court on 30.01.2012 and will offer for settlement and the learned lower court on that very score, will notice Nipu Kumari and then will try to resolve the dispute amongst the parties. If there happens to be any laches perceived by the learned lower court or cunningness on his part learned court below will be at liberty to reject the prayer for confirmation subsequently, so made, contrary to it, will confirm, in connection

with Gopalganj P.S.Case No.309 of 2011 pending in the Court of Chief Judicial 2 Magistrate, Gopalganj for 10,000/-(ten thousand)with two sureties of the like amount each. (Aditya Kumar Trivedi,J.) Brajesh Kumar/-

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