

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1036 of 2017

Arising Out of PS.Case No. -42 Year- 2016 Thana -MAHILA PS District- GAYA

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Anand Ashu, S/O Raj Kumar Sharma, R/O Vill- Dedh ganw, P.S. - Narhat,
Dist - Nawada

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amarendra Kumar Mishra

For the Opposite Party : Mr. Pranav Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

6 17-05-2017 Heard the learned counsel for the petitioner, the

learned A.P.P. for the State as also the learned counsel for the

opposite party no.2.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Gaya Mahila P.S. Case
No. 42 of 2016 for the offences punishable under sections 498 A,
323 and 34 of the I.P.C.

Perused the Mediator's report. The dispute between the
parties has been resolved and the petitioner and the opposite party
no.2 are residing together. There is no dispute between them, but
the mother of the opposite party no.2 is making hindrance in
peaceful living and she had kept the son of the petitioner and the
opposite party no.2 and did not allow to go with his mother



(opposite party no.2). The learned counsel for the opposite party no.2 submits that due to love and affection the child was not ready to go after leaving his Nani and Mousi.

Under the circumstances, the mother of the opposite party no.2 is directed not to interfere in the peaceful life of the petitioner and the opposite party no.2 and if the child is ready to go with his mother then the mother of the opposite party no.2 shall allow the child to go with his mother.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Gaya in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

The petitioner shall give an undertaking before the learned court below that he will keep the opposite party no.2 with honour, dignity and comfort.

(Jitendra Mohan Sharma, J)

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