

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31562 of 2019

Arising Out of PS. Case No.-429 Year-2018 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Ram Babu Thakur, Son of Ramashray Thakur, Resident of Village- Mirzapur,
Police Station- Kalyanpur, Distt- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Mithilesh Devi, Wife of Ram Babu Thakur, Resident of Village-
Mirzapur, P.S.- Kalyanpur, Distt.- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-09-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 429 of 2018, disclosing

offences under Sections 498A/34 of the Indian Penal Code.

Case is under Section 498-A of the IPC with an

allegation of demand and torture.

On appearance of the opposite party no.2, matter was

referred to the District Mediation and Reconciliation Center,

Samastipur and the report has been received and the same is

attached as Flag 'M', which disclosed that due to non

appearance of the opposite party no.2, mediation failed.

Submission of learned counsel for the petitioner is

that the whole allegation is false and concocted and he is still



ready to keep her with dignity and care.

On the other hand, learned counsel for the opposite party no.2 has stated that due to some confusion, she could not appear before the mediation center. She is ready to reside with the petitioner, if she is allowed to live with dignity and care.

Having heard both sides, in view of the stand of both the parties, let the petitioner, above named, surrender before the learned court below by 27.09.2019 and on that day the opposite party no.2 shall also remain present in the Court. Further on filing of an affidavit by the petitioner that he is ready to keep her with dignity and care and to take her from the Court itself, then he will be released on provisional bail for a period of six months. During that period, the learned court below shall watch the conduct of both the parties and further directs that both the parties shall appear in the third week of each month before the learned court below. Once the court below is satisfied with the conduct of both the parties, and their marital relationship, especially the conduct of the petitioner, the court below either confirm the bail bonds of the petitioner, otherwise, he is free to pass any other orders, which may deem fit and proper, including cancelling the bail bonds of the petitioner.

With the aforesaid observations, this application is



disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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