

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36030 of 2019

Arising Out of PS. Case No.-61 Year-2018 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Mukesh Paswan @ Mukesh Kumar, Son of Late Mahabir Paswan, Resident of
Village Gangauti P.S. Dalmiya Nagar, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi, Wife of Mukesh Paswan @ Mukesh Kumar, D/O Late Suresh Paswan At present resident of Village Baghi P.O. Mahuari, P.S. Sonhan, District- Kaimur at Bhabua.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pawan Kumar Singh
For the Opposite Party/s	:	Mr.Rajeev Nayan (App

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 17-08-2019 Learned counsel for the petitioner submits that the petitioner is ready and willing to lead a conjugal life with opposite party no.2 with full dignity and care.

 Learned counsel for the opposite party no.2 submits that the opposite party no.2 and her two children are being neglected and have been subjected to cruelty even as she is willing to live with the petitioner.

 In the given facts and circumstances, learned counsel for the petitioner submits that the petitioner will visit the house of the opposite party no.2 within two weeks from today and shall bring her back to the matrimonial home with the children and shall continue to lead a dignified life. Learned counsel for



the opposite party no.2 submits that if the petitioner visits the house of opposite no.2 she will accompany him and will go to live with her.

In the given facts and circumstances of the case, this application is being disposed off by granting provisional anticipatory bail to the petitioner for a period of two months from today on furnishing bail bond of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bhabua in connection with Bhabua Mahila P.S. Case No.61 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The provisional bail of the petitioner shall be confirmed by the court below only after being satisfied with the developments and statement of the opposite party no.2 saying that she is living with the petitioner with all dignity and care. It will be open for the court below to assess the circumstances for purpose of confirmation of the bail.

(Rajeev Ranjan Prasad, J)

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