

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42309 of 2019

Arising Out of PS. Case No.-554 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Lalit Mandal @ Lalit Singh Son of Baijnath Mandal @ Baidhnath Mandal,
Resident of Village - Shri Majrahiya, P.S.- Hathauri, Dist.- Samastipur.

... .. Petitioner

Versus

1. The State of Bihar.
2. Renu Devi Wife of Lalit Mandal @ Lalit Singh, Resident of Village - Majrahiya, P.S.- Hathauri, Dist.- Samastipur at present residing at Village - Parsa, P.S.- Hathauri, Dist.- Samastipur.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr.Raja Ram Mishra, Advocate
For the State	:	Mr.Md. Ataur Rahman, APP
For the O.P. No. 2	:	Mrs.Archana Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 01-10-2019 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned APP for the State.

Petitioner in the present case is seeking anticipatory bail in Complaint Case No. 554 of 2017 in which cognizance has been taken for the offences punishable under Section 498-A of the Indian Penal Code.

Learned counsel for both the parties have submitted before this Court that they are ready and willing to live together peacefully and with full dignity.

Learned counsel for the petitioner submits that he is



ready to go to the Maiké/house of the opposite party no. 2 to bring her back to the matrimonial home.

Learned counsel for the opposite party no. 2 submits that if the petitioner visits her Maiké to take her back to her matrimonial home she will definitely accompany him and will pursue her conjugal life with the petitioner peacefully.

In the given facts and circumstances of the case, where both the parties have come forward to resolve the dispute amicably, let the petitioner in the event of his arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Rosera, Samastipur in connection with Complaint Case No. 554 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police



officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And, further condition in terms of his own undertaking that the petitioner will go to the Maiké/house of the opposite party no. 2 where she is presently residing within a period of four weeks from today and shall bring her back to the matrimonial home. The petitioner shall ensure that the opposite party no. 2 is allowed to live peacefully with full dignity and care.

In case of his breach of any of the undertaking/conditions as mentioned hereinabove, it will be open for opposite party no. 2 to file an appropriate application for cancellation of bail.

(Rajeev Ranjan Prasad, J)

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