

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43722 of 2019

Arising Out of PS. Case No.-237 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

VIKASH KUMAR Son of Harindra Mahto Resident of Village - Singhiya
Chouk, P.S.- Banjariya, District - East Champaran, Motihari.

... .. Petitioner

Versus

1. The State of Bihar
2. Anuradha Devi Wife of Vikash Kumar Daughter of Rajaram Mahto,
Resident of Village - Patahi, P.S.- Patahi, District - East Champaran,
Motihari.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 24-09-2019 Heard learned counsel for the petitioner and learned
counsel representing the complainant-opposite party no. 2 as
also learned APP for the State.

The petitioner who is the husband of the complainant-
opposite party no. 2 in the present case is seeking anticipatory
bail in Complaint Case No. C-237 of 2018 in which cognizance
for the offences punishable under Section 498A of the Indian
Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

Learned counsel for the petitioner as well as opposite
party no. 2 submit that they are looking for amicable resolution
of the dispute. The petitioner is ready and willing to take
opposite party no. 2 to his matrimonial home and live with her



as husband and wife with full dignity and care to opposite party no. 2. The opposite party no. 2 is also agreeing to go to her matrimonial home with the petitioner if he visits her house/Maika.

As agreed between the parties, the petitioner shall go to the house of opposite party no. 2 at her Maika in between 5th October, 2019 to 8th October, 2019 and shall take her to the matrimonial home.

Subject to the conditions under Section 438(2) Cr.P.C. and the aforesaid undertaking of the petitioner, 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 bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sadar, East Champaran, Motihari in connection with Complaint Case No. C-237 of 2018 (Trial No. 2189 of 2019), 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.

If the petitioner fails to abide by his undertaking in the terms stated hereinabove, it will be open for the complainant-opposite party no. 2 to move an appropriate application for cancellation of bail.

(Rajeev Ranjan Prasad, J)

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