

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46071 of 2019

Arising Out of PS. Case No.-103 Year-2016 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Hare Ram Mahto, Son of Baijnath Mahto, Resident of Village - Hanuman Nagar, Madudabad, Panchayat - Madudabad, P.S.- Mohiuddin Nagar, Distt - Samastipur.

... .. Petitioner

Versus

1. The State of Bihar
2. Bandana Devi, Wife of Hare Ram Mahto, Resident of Village - Mau, Ward No. 1, P.S.- Vidayapati Nagar, Distt - Samastipur.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar Singh, Advocate
For the O.P. No. 2 : Mr.Dhananjay Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 26-09-2019 Heard learned counsel for the petitioner as well as

learned counsel for the opposite party no. 2.

Petitioner in the present case is the husband of

opposite party no. 2 is seeking privilege of anticipatory bail in

connection with C.R. No. 103 of 2016, T.R. No. 820 of 2018

registered for the offences punishable under Section 498 of the

Indian Penal Code.

Learned counsel for the petitioner as well as opposite

party no. 2 jointly submit that they are willing to live together

keeping aside the complaints against each other. Learned

counsel for the petitioner submits that on instruction that the

petitioner would visit the Maik/ house of the opposite party no.



2 within two weeks and shall bring her back to the matrimonial home where she will be living with the petitioner with full dignity and care.

Learned counsel for the opposite party no. 2 submits that if the petitioner visits her place within the aforesaid two weeks' time she will definitely accompany him and will go to matrimonial home to live peacefully with the petitioner.

In the given facts and circumstances of the case, let in the event of his arrest or surrender within a period of four weeks from today, the petitioner abovenamed 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 Judicial Magistrate 1st Class, Dalsingsarai, Samastipur in connection with C.R. No. 103 of 2016, 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 that the petitioner shall abide by his undertaking to bring to opposite party no. 2 to his matrimonial home within the aforesaid period. If the petitioner fails to abide by and any of the conditions mentioned above it will be open for the opposite party to file an appropriate application for cancellation of bail.

The application is disposed off.

(Rajeev Ranjan Prasad, J)

vats/-

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