

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47315 of 2019

Arising Out of PS. Case No.-2149 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Rishikesh Kumar Jha @ Sudhir Jha @ Rishikesh Kumar Son of Vijay Jha @
Vijay Kumar Jha, Resident of Village - Malinagar, P.S.- Chakmehsi, Distt -
Samastipur.

... .. Petitioner

Versus

1. The State of Bihar.
2. Smt. Khushbu Kumari Wife of Rishikesh Kumar Jha @ Sudhir Jha, D/o Shri
Arun Kumar Mishra, Resident of Village - Shafaruddinpur, P.S.- Bochaha,
Distt - Muzaffarpur.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar Singh, Advocate
For the State	:	Mr.Anuj Kumar Shrivastava, APP
For the Informant	:	Mr.Nachiketa Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 19-12-2019 Heard learned counsel for the petitioner and learned

counsel representing the opposite party no. 2 as also learned

APP for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Complaint Case No. 2149 of 2018
corresponding to Tr. No. 1755 of 2018 registered for the
offences punishable under Section 498(A) of the Indian Penal
Code and Section 3/4 of the Dowry Prohibition Act.

Learned counsel for both the parties submit that
though the mediation has failed but they have instruction to say
that the parties are willing to live together amicably as husband



and wife and they seek to live with full dignity and care.

Learned counsel for the petitioner submits that he has instruction to say that the petitioner will visit the place of opposite party no. 2 in between 15th January to 26th January, 2020 and shall bring her back to the matrimonial home where she will be allowed to live as lawful wife with full dignity and care.

Learned counsel for the opposite party no. 2 submits that if the petitioner fulfills his undertaking given before this Court and visits her place, the opposite party no. 2 shall accompany him and live with him with all co-operations.

In the given facts and circumstances of the case, let the petitioner above named 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 A.C.J.M. IInd (East) Muzaffarpur in connection with Complaint Case No. 2149 of 2018, 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 in terms of his own undertaking before this Court, the petitioner shall visit the place of opposite party no. 2 within the aforesaid period and bring her back in matrimonial home where she will be allowed to live as a lawful wife with full dignity and care. In case the petitioner commits breach of his own undertaking, it will be open for the opposite party no. 2 to bring it to the notice of the court below and on such information being furnished to the court below an appropriate action shall be taken including for cancellation of bail bond of this petitioner.

The application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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