

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69138 of 2019**

Arising Out of PS. Case No.-181 Year-2019 Thana- SOHSARAI District- Nalanda

Arvind Kishore Guddu @ Shashank Mehta S/o Bikal Mehta @ Late Bikal Mahto, R/o Village- Singarhaat, P.S.- Sohsarai, District- Nalanda.

... .. Petitioner

Versus

1. The State of Bihar.
2. Bharti Kumari D/o Sri Shayam Mahto, R/o Village/ Town- Sohdeeh, P.S.- Sohsarai, District- Nalanda.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Ms.Aprajita, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 11-12-2019 Heard learned counsel for the petitioner, learned APP
for State and learned counsel for the opposite party no. 2.

The petitioner in this case is seeking anticipatory bail in connection with Sohsarai P.S. Case No. 181 of 2019 registered for the offences punishable under Sections 307, 498A, 34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act..

Learned counsel for the petitioner submits that the petitioner is ready to keep his wife with full dignity and care.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioner, however, learned counsel for the opposite part no. 2 submits that the



opposite party no. 2 is ready to live with the petitioner.

Considering the facts and circumstances of the case, particularly that it is a case of matrimonial dispute and it is in the interest of both the parties that they live together peacefully in their interest as well as in the interest of the minor child, finding that learned counsel for the both the parties have submitted before this Court that they are willing to live together and learned counsel for the petitioner has specifically stated that the petitioner will go to the place of opposite party no. 2 within a period of 10 days from today and shall bring her back to the matrimonial home where she would be allowed to live peacefully with all dignity as a lawful wife and opposite party no. 2 has also agreed to this, 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 Chief Judicial Magistrate, Nalanda in connection with Sohsarai P.S. Case No. 181 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.

And further condition that in terms of his own undertaking given before this Court through his learned counsel the petitioner shall visit the house of opposite party no. 2 within a period of 10 days from today and shall bring her back to the matrimonial home where he will live with opposite party no. 2 with full dignity and care and further condition that the court below shall keep a vigil on the conduct of the petitioner and in case opposite party no. 2 makes any complaint with respect to his conduct, appropriate action shall be taken on the complaint of opposite party no. 2.

(Rajeev Ranjan Prasad, J)

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