

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2474 of 2020

Arising Out of PS. Case No.-32 Year-2019 Thana- MAHILA P.S. District- Saran

ANUP KUMAR OJHA Son of Bharat Ojha Resident of Village - Manjhi, Dakshini Tola, P.S.- Manjhi, Distt.- Saran at Chapra, At Present residing at Gopal Nagar Plot No.92, Near Shivam Inter College, Kidwai nagar, P.S.- Vidhanu, Distt.- Kanpur (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vina Ojha @ Bina Devi W/o Anup Kumar Ojha, D/o Radheshyam Tiwari Presently residing at Ratanpura, Ojha Toli, P.S.- Bhagwan Bazar, Dist. Saran at Chapra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Yadav, Advocate.
For the Opposite Party/s : Mr.Ashok Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 06-10-2020 This matter has been taken up through Video Conferencing.

Heard the parties.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 498A, 341, 323, 313 and 504 of the Indian Penal Code.

Vide order dated 19.06.2020, the case was sent for mediation before the Patna High Court Mediation Committee, however due to lock-down mediation could not be held.

This is a case under Section 498A of the Indian Penal Code.



Considering the facts of this case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on **provisional anticipatory bail** on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Mahila P.S. Case No. 32 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

The petitioner and opposite party no.2 shall remain present before the Court below for amicable settlement of the dispute. If the petitioner would remain cooperative in the mediation, the court below shall confirm the provisional



anticipatory bail.

The exercise must be completed within six months.

Accordingly, this application stands disposed of.

(Birendra Kumar, J)

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