

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.85524 of 2019**

Arising Out of PS. Case No.-446 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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AJAY KUMAR Son of Mohan Sao Resident of Hatia Tand near Idial School,
Post-Gomoh, P.S.-Hariharpur, District-Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Khusbu Devi Wife of Ajay Kumar Resident of Hatia Tand near Idial School,
Post-Gomoh, P.S.-Hariharpur, District-Dhanbad (Jharkhand).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Om Prakash Singh, Adv.
For the Opposite Party no.1:		Mr.Fahimuddin, APP
For the Opposite Party no.2:		Mr. Jagjit Roshan, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 04-09-2020 Heard Mr. Om Prakash Singh, learned counsel for the

petitioner and Mr. Fahimuddin, learned APP for the State in absence

of Mr. Vinod Shanker Modi, APP as also Mr. Jagjit Roshan, learned

counsel representing the opposite party no.2.

Mr. Jagjit Roshan, learned counsel for the opposite party
no.2 has at the outset informed this Court that though he has got
instruction from the opposite party no.2 to appear in this matter, but
presently he has not filed the vakalatnama in the Registry. Learned
counsel, however, undertakes to file the vakalatnama in the Registry
within three weeks.

He is permitted to do so.

Petitioner in the present case is seeking pre-arrest bail in



connection with Complaint Case No.446/2018 registered for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the D.P. Act.

Learned counsel for the parties agree that both the parties have amicably resolved their disputes and are now living together. Learned counsel for the opposite party no.2 thus does not object to grant of anticipatory bail to the petitioner.

Learned APP for the State has also endorsed the submission of learned counsel for the opposite party since this is a matrimonial matter and all efforts are to resolve the dispute between the parties so that the family can survive.

In the 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 in connection with Complaint Case No.446/2018 be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna City, subject to the conditions 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.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

