

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85763 of 2019

Arising Out of PS. Case No.-154 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Pradeep Mahto Son of Ram Prawesh Mahto, Resident of Village-
Darveshpura, P.S.- Saksohara, Distt - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pinki Kumari D/o Sanjay Mahto, Resident of Village- Burandichak (Kali
Asthan), P.S.- Barh, Distt - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap

For the Opposite Party/s : Mr.Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

4 18-02-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Complaint Case No.154(C)/2018
registered for offence punishable under sections 323 and
498(A) of the Indian Penal Code.

It appears that there is a little difference between
the petitioner and opposite party no.2. The counsel for the
petitioner submits that the petitioner is ready to keep the
complainant as a wife with full dignity and honour whereas the
counsel for the opposite party no. 2 submits that the wife is also
ready to live with the present petitioner, in such circumstance,



both sides will remain physically present before the Presiding Officer on 06.03.2020 and till date, no coercive action shall be taken against the petitioner in the aforesaid case. The petitioner will give an undertaking before the Presiding Officer that he is carrying his wife and will keep her with full dignity and honour and will not in any manner harass her either mentally or physically. If the petitioner carries his wife in the manner as stated herein above, the provisional bail be granted to the petitioner. Whereafter, the petitioner will again appear before the Presiding Officer after a month with the opposite party no. 2 and the Presiding Officer will enquire from his wife and if it is found that the petitioner is keeping his wife with proper dignity and honour, the provisional bail granted to the petitioner will be confirmed. But if the petitioner fails to carry his wife, this Court directs the court below, the petitioner would be taken in custody.

With the above observation and direction, this application is disposed of.

(Shivaji Pandey, J)

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