

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5079 of 2020

Arising Out of PS. Case No.-61 Year-2018 Thana- MAHILA P.S. District- Saharsa

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DIPAK KUMAR PODDAR @ DIPAK PODDAR Son of Kailash Poddar
Resident of Village - Galfariya, P.S.- Bakhtiarpur, District - Saharsa.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Manisha Kumari Wife of Dipak Kumar Poddar @ Dipak Poddar Resident of Village - Galfariya, P.S.- Bakhtiarpur, District - Saharsa at present residing at village - Khachardeva, P.S.- Salkhua, District - Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Sinha Mr.Ashok Kumar
For O.P. No. 2	:	Mr. Amarnath Jha
For the State	:	Mr.Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 29-11-2021 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no.2.

The petitioner seeks anticipatory bail in connection with Mahila P.S. Case No. 61/2018 registered for the offences under Section 498-A and other allied sections of the Indian Penal Code and under Sections 3/4 of the Dowry Prohibition Act.

The matter was earlier adjourned on 03.03.2020 so that the matter may be referred to the Patna High Court Mediation and Conciliation Centre for mediation between the petitioner and the opposite party No. 2, but due to COVID-19 pandemic, mediation process could not be initiated.



In paragraph No. 10 of the bail petition, specific statement was made that the petitioner is ready to keep the opposite party no.2 with full honour and dignity.

In such view of the matter, the petitioner is directed to visit his *Sasural* and take opposite party no.2 with him before 06.12.2021 and, thereafter, both the parties will file an application in the Court below that they have amicably settled their disputes and they are staying together. The petitioner will also provide a separate mobile phone and number to opposite party no.2 from which she can talk to her parents as and when she desires.

On filing of the aforesaid application by both the parties in the Court below, the Court below will release the petitioner **on provisional bail for a period of three months** on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Saharsa, in connection with Mahila P.S. Case No. 61/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

After completion of three months, both the parties will again appear before the learned Court below. The Court



below will verify the conduct of both the parties and thereafter take a decision either to confirm the provisional bail or to cancel the same in the facts of the case.

Till filling of the application by both the parties in the Court below, the interim protection granted to the petitioner vide order dated 03.03.2020 shall continue to operate.

With the aforesaid observations and directions, this bail petition is allowed.

(Sandeep Kumar, J)

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