

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9318 of 2020

Arising Out of PS. Case No.-116 Year-2019 Thana- RAJPUR District- Rohtas

Shivam Kumar, aged about 30 years, Male, son of Krishan Kumar Prasad,
Resident of Village - Rajpur, P.S.-Rajpur, District - Rohtas.

... .. Petitioner

Versus

1. The State of Bihar.
2. Juli Kumari, wife of Shivam Kumar, D/o Mahendra Shah, resident of Saakin Parariya, P.S-Karatak (Godari), District-Rohtas.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Abhimanyu Vatsa, Advocate Mr. Rakesh Kumar, Advocate Mr. Rajni Kant Singh, Advocate
For the State	:	Mr. Ram Bilash Roy Raman, APP
For the Opposite Party No.2:	:	Mr. Nityanand Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 28-10-2021 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 Rajpur P.S. Case No. 116 of 2019 registered for the offences under Sections 341, 323, 498(A)/34 of the Indian Penal Code and under Sections 3/ 4 of the Dowry Prohibition Act.

Pursuant to order dated 25.10.2021 both the parties are physically present before this Court and submit that they are ready to live together as husband and wife.

In such view of the matter, the petitioner is directed to visit his *Sasural* and take opposite party no.2 with him before



03.11.2021 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 mobile 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 Judicial Magistrate, 1st Class, Vikramganj (Rohtas), in connection with Rajpur P.S. Case no. 116 of 2019, subject to the condition 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 29.02.2020 shall continue.

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

(Sandeep Kumar, J)

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